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HUNTERS POINT SHIPYARD
RESTORATION ADVISORY BOARD

REPORTER'S TRANSCRIPT OF MEETING

August 28, 2003

Dago Mary's Restaurant
Hunters Point Shipyard, Building 916
Donahue Street at Hudson Avenue
San Francisco, California

Reported by Christine M. Niccoli, RPR, C.S.R. No. 4569

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CERTIFIED SHORTHAND REPORTERS SERVING THE BAY AREA

1 P A R T I C I P A N T S

2

3 FACILITATOR: MARSHA PENDERGRASS - Pendergrass &

4 Associates

5 CO-CHAIR: LYNNE BROWN - Communities for a Better

6 Environment (CBE), Community

7 First Coalition (CFC)

8

9

10 RAB MEMBERS

11

12 LANI ASHER - Communities for a Better Environment (CBE),

13 Community First Coalition (CFC)

14 MAURICE CAMPBELL - Business Development, Inc. (BDI);

15 Community First Coalition (CFC); New California Media;

16 NEW BAYVIEW NEWSPAPER

17 CHARLES L. DACUS, SR. - Hunters Point resident,

18 R.O.S.E.S.

19 MARIE HARRISON - Communities for a Better Environment

20 (CBE), SAN FRANCISCO BAY VIEW, Greenaction

21 MITSUYO HASEGAWA - JRM Associates

22 HELEN JACKSON - All Hallows Gardens Residents Association

23 CHEIN KAO - California Department of Toxic Substances

24 Control (DTSC)

25 LEA LOIZOS - Arc Ecology

1 RAB MEMBERS [Cont.]:

2

3 KEVYN D. LUTTON - Resident

4 J. R. MANUEL - JRM Associates, India Basin resident

5 JESSE MASON - Community First Coalition (CFC)

6 JAMES MORRISON - Environmental Technology

7 ALLEN NUNLEY JR. - Business owner, resident

8 GEORGIA OLIVA - Communities for a Better Environment

9 (CBE), CCA member

10 KAREN G. PIERCE - Bayview Advocates, BVHP Democratic

11 Club, BVHP Health & Environmental Assessment Program

12 MELITA RINES - India Basin Neighborhood Association

13 AHIMSA PORTER SUMCHAI - Bayview-Hunters Point Health &

14 Environmental Resource Center (HERC)

15 RAYMOND TOMPKINS - Bayview-Hunters Point Coalition on

16 Environment

17 MICHAEL WORK - U.S. Environmental Protection Agency (EPA)

18 LEILANI WRIGHT - JRM Associates

19 ---oOo---

20

1 OTHER ATTENDEES

2

3 ARVIND ACHARYA - Innovative Technical Solutions, Inc.

4 (I.T.S.I.)

5 RYAN AHLERSMEYER - United States Navy

6 ANDREW L. BOZEMAN - Southeast Sector Community

7 Development Corporation

8 PATRICK BROOKS - United States Navy

9 PATRICIA BROWN - Shipyard artist

10 A. DON CAPOBRES - San Francisco Redevelopment Agency

11 DEBORAH CLARK - Katz & Associates

12 DANIELLE COGAN - Office of Congresswoman Nancy Pelosi

13 DOUGLAS DAVENPORT - Tetra Tech EM Inc.

14 LEM DOZIER - Artist

15 MARISSA FONG - Habitat for Humanity

16 CHRIS HANIF - Young Community Developers (YCD)

17 BOB HOCKER - Lennar/Bayview-Hunters Point Team

18 CAROLYN HUNTER - Tetra Tech EM Inc.

19 JONI JORGENSEN-RISK - Innovative Technical Solutions,

20 Inc. (I.T.S.I.)

21 MARK KASMAN - U.S. Environmental Protection Agency (EPA)

22 ABDEL KHELIFA - Coverall Engineering Inc.

23 DENISE KING

24 SHANE KING

25 QUIJUAN MALOOF - Pendergrass & Associates

1 OTHER ATTENDEES [Cont.]:

2

3 LAURENT M. MEILLIER - San Francisco Bay Regional Water

4 Quality Control Board

5 DEBRA MOORE - Innovative Technical Solutions, Inc.

6 (I.T.S.I.)

7 VILAS NITIVATFANARO - US AEP

8 ARAYA NUNTAPOTIDECH - Ministry of Natural Resources &

9 Environment

10 DENNIS M. ROBINSON - Shaw Environmental &

11 Infrastructure, Inc.

12 DEBORAH BERMAN SANTANA - Mills College Ethnic Studies

13 Department

14 LEE H. SAUNDERS - United States Navy

15 CLIFTON J. SMITH - C.J. Smith & Associates, Eagle

16 Environmental Construction

17 PETER STROGANOFF - United States Navy ROICC Office

18 CHANIN TONGPHAMACHART - Ministry of Natural Resources

19 and Environment

20 GIACOMO URSINO - Dago Mary's

21 BILL VAOVASA - United Samoan Pentecostal

22 JIM VREELAND - Environmental Protection Agency

23 STEFANIE YOW - Office of Congresswoman Nancy Pelosi

24 ---oOo---

1 SAN FRANCISCO, CALIFORNIA, THURSDAY, AUGUST 28, 2003

2 6:07 P.M.

3 ---oOo---

4 MS. PENDERGRASS: Welcome to the Hunters Point
5 Shipyard Restoration Advisory Board meeting for
6 Thursday, August 28th. Okay? We're going to get
7 started right now.

8 Tonight looks like we have a little bit of a --
9 we have a change in the agenda a little bit. We have --
10 Pat is sitting in for Keith tonight.

11 So as we generally do -- and looks like we're
12 starting later and later. Is this because it's
13 summertime and people are on vacation and . . . ?

14 No. Okay. Let's start with introductions
15 tonight, folks that we do have here. Let's see. Can we
16 start down here?

17 MS. MOORE: Debra, I.T.S.I.

18 MS. LOIZOS: Lea Loizos, Arc Ecology.

19 MS. PENDERGRASS: Thank you.

20 MR. CAMPBELL: Maurice Campbell, Community
21 First Coalition.

22 MS. ASHER: Lani Asher, Shipyard artist.

23 MS. OLIVA: Georgia Oliva, Shipyard artist --

24 MS. PENDERGRASS: I'm Marsha --

25 MS. OLIVA: -- member CBE.

1 MS. PENDERGRASS: I'm Marsha Pendergrass.
2 MS. BROWN: Lynne Brown, resident, CFC.
3 MR. BROOKS: Pat Brooks. I'm Navy lead RPM.
4 MR. AHLERSMEYER: Ryan Ahlersmeyer, the Navy
5 RPM.
6 THE REPORTER: Ryan what?
7 MR. AHLERSMEYER: Ahlersmeyer.
8 MS. PENDERGRASS: Okay. Thank you.
9 MR. MEILLIER: Laurent Meillier --
10 MS. PENDERGRASS: Yes?
11 MR. MEILLIER: -- Water Board.
12 MS. ATTENDEE: What was your name?
13 MS. PENDERGRASS: Did you get that?
14 MR. MEILLIER: Laurent Meillier, Water Board,
15 Regional Water Quality Control Board.
16 MS. PENDERGRASS: All right. Thank you.
17 MS. WRIGHT: Leilani Wright, RAB member.
18 MS. PENDERGRASS: Okay.
19 MR. WORK: Michael Work, U.S. EPA.
20 MS. PENDERGRASS: All right.
21 MR. KAO: Chein Kao, DTSC.
22 MR. DACUS: Charles L. Dacus, Sr., member of
23 RAB, also affiliated with ROSES.
24 MS. SUMCHAI: Ahimsa Sumchai, RAB member,
25 Radiological Subcommittee.

1 MS. HARRISON: Marie Harrison, RAB member.

2 MS. JACKSON: Helen Jackson, RAB member.

3 MR. NUNLEY: Allen Nunley, RAB member.

4 MR. MALOOF: Quijuan Maloof, Pendergrass &
5 Associates.

6 MS. RINES: Melita Rines, RAB member.

7 MS. JORGENSEN-RISK: Joni Jorgensen-Risk,
8 I.T.S.I.

9 MS. PENDERGRASS: Mr. Mason?

10 MR. MASON: Jesse Mason, resident, Community
11 First Coalition.

12 MS. PENDERGRASS: Okay. And let's start back
13 here, and can you speak loudly and very slowly so that
14 we can capture this for the record?

15 MR. DOZIER: Lem Dozier, artist.

16 MS. PENDERGRASS: Okay.

17 Yes, sir.

18 MR. DAVENPORT: Doug Davenport with Tetra Tech.

19 MS. HUNTER: Carolyn Hunter, Tetra Tech.

20 MR. STROGANOFF: Peter Stroganoff with the
21 Navy.

22 MR. ROBINSON: Dennis Robinson, Shaw
23 Environmental.

24 MS. PENDERGRASS: Okay. Start over here.

25 Ma'am, stand up. Little louder.

1 MS. D. KING: Denise King, resident.
2 MS. PENDERGRASS: Denise King, resident.
3 MR. S. KING: Shane King, resident.
4 MS. PENDERGRASS: Shane King, resident.
5 MS. CLARK: Deborah Clark, Katz & Associates.
6 MS. PENDERGRASS: Clark.
7 Yes, sir.
8 MR. ACHARYA: Arvind Acharya, I.T.S.I.
9 MR. HANIF: Chris Hanif, Young Community
10 Developers.
11 MR. CAPOBRES: Don Capobres, Redevelopment
12 Agency.
13 MS. SANTANA: Deborah Santana, Mills College.
14 MS. PENDERGRASS: Yes, sir.
15 MR. VREELAND: Jim Vreeland, EPA.
16 MS. PENDERGRASS: Jim what?
17 MR. VREELAND: Jim Vreeland --
18 MS. PENDERGRASS: Vreeland?
19 MR. VREELAND: -- EPA.
20 MS. PENDERGRASS: Thank you, sir.
21 MR. KASMAN: I'm Mark Kasman, U.S. EPA's Office
22 of International Affairs; and we have some observers
23 from the Kingdom of Thailand who are looking at public
24 participation.
25 MS. PENDERGRASS: All right. Can you introduce

1 them?

2 MR. KASMAN: Yes. Vilas, Araya, and

3 Dr. Chanin.

4 (Applause.)

5 MS. PENDERGRASS: Thank you. All right. Thank
6 you very much.

7 MR. SAUNDERS: Lee Saunders, US Navy.

8 MS. PENDERGRASS: Okay. Did we get everybody?
9 Okay.

10 And -- and be mindful that all the RAB members
11 as well as participants, if you could sign in for the
12 sign-in sheet, that's -- that helps us to make sure we
13 spell your names right for the record and for
14 attendance.

15 All right. Anybody have any comments on the
16 meeting minutes tonight, order or anything like that?

17 All right. Then let's -- before we move on,
18 let's do the action items that we have left over listed
19 from last meeting. We didn't have any carry-over items.

20 But the first one was [reading]: Risk Review
21 and Health Assessment Subcommittee to discuss at their
22 next meeting the issue of potential health risks
23 associated with changing the form or structure of
24 naturally occurring elements such as serpentine and the
25 issues regarding liability and responsibility of those

1 potential health risks.

2 And so that was supposed to be for the August
3 RAB; and the Risk Review and Health Assessment
4 Subcommittee, Ray Tompkins was supposed to have a report
5 on that today; is that correct?

6 MS. HARRISON: He might be a little late.

7 MS. PENDERGRASS: Okay. So is that going to be
8 part of the --?

9 MR. BROOKS: This is something that we did with
10 Karen Pierce's subcommittee.

11 MR. BROWN: Right.

12 MR. BROOKS: So that's been accomplished.

13 MS. PENDERGRASS: Okay. Very fine. So we'll
14 list that as completed, unless anybody has any other
15 questions about that. Okay.

16 The next one was [reading]: Navy to determine
17 the reason Sergeant Mark Potter, the SFPD, did not
18 participate in the July RAB as scheduled and ensure that
19 he participate in the August RAB meeting.

20 And Mr. Forman was supposed to handle that for
21 today.

22 MR. BROOKS: Yeah. Sergeant Potter had some
23 other responsibilities to attend to, and then in August
24 he was scheduled for training. He's promised to be here
25 in September.

1 MS. PENDERGRASS: All right. So if we can have
2 the minutes reflect that and we make sure we capture
3 that for the September meeting to make sure we schedule
4 it on there.

5 MR. BROOKS: And actually, Sergeant Potter
6 asked for the 6:15 time slot.

7 MS. PENDERGRASS: Okay. So 6:15, if we can put
8 him down for 6:15 if that -- if that will work.

9 All right. So if we could not jot down -- I --
10 I would recommend that we keep this one on until we --
11 when he actually shows up; and if there are any -- any
12 questions that are carry-over, we might want to make
13 sure we submit those to the chair to make sure that
14 that -- that those don't get lost by September.

15 Okay. The next one [reading]: Navy and the
16 SFRA to determine why SFPD is conducting maneuvers in
17 Parcel A and ask the P.D. to also address that issue at
18 the August RAB.

19 So I'm assuming that will be moved to September
20 as well. Is that correct?

21 MR. BROOKS: Don? Do you have any information
22 on that?

23 MR. CAPOBRES: We do know that the Navy does
24 have, in addition to the lease of Building 606, license
25 to do some training on Parcel A. I'm pretty sure that

1 does not include new maneuvers that were mentioned here
2 by the community. We'd like to actually hear from SFPD
3 directly about what that incident was.

4 In terms of a remedy for it in relation to
5 Building 606 net lease, we do have a team at the
6 Redevelopment Agency that will be engaging the police
7 department into negotiation of their -- of a new lease
8 for SFPD. I don't know if now is a proper time to
9 discuss that issue.

10 MS. PENDERGRASS: I think that since we had
11 tabled that till this meeting that we might want to go
12 ahead and hear that now.

13 MR. CAPOBRES: Okay. In reviewing the lease,
14 it's a very difficult situation because SFPD isn't your
15 typical tenant.

16 So in a tenant-landlord situation, you know, it
17 becomes more policy decisions than it does legal issues
18 between a landlord and a tenant.

19 One of the suggestions and that was given to me
20 by the community was to go to the RAB, go to the
21 Citizens Advisory Committee for the Shipyard and also
22 some groups like Citizens -- the CFC and to talk about
23 what the community concerns are as we proceed in
24 negotiating the lease with SFPD. I think that's a great
25 idea.

1 We'll proceed to do that and coordinate with
2 Mr. Campbell, coordinate with Lynne Brown, the RAB
3 co-chair here, about how to -- which subcommittee to
4 deal with and obviously work with the Mayor's Citizens
5 Advisory Committee as we go through that public process
6 of the lease with SFPD.

7 So that's all I can report on right now, the
8 process that we're going to undertake and go through a
9 community outreach process as we go through the lease
10 negotiations.

11 MS. PENDERGRASS: Now -- thank you.

12 At the last RAB meeting, there was quite bit of
13 questions regarding those maneuvers and questioning of
14 the Redevelopment Agency about those maneuvers and their
15 lease agreement. Are -- are those questions -- have
16 those been answered at this point?

17 MR. BROWN: No, they haven't been. Can you get
18 the RAB members a copy of the old lease? Please, Don.

19 MS. PENDERGRASS: All right. So we would put
20 that as an action item follow-up to have a -- a copy of
21 the lease -- that's -- I guess you do that -- and have
22 that distributed to all the RAB members. Mr. Capobres,
23 is that something you're --

24 MR. CAPOBRES: Yes.

25 MS. PENDERGRASS: -- going to do?

1 Okay. All right.

2 Yes, sir, Mr. Campbell.

3 MR. CAMPBELL: One of the -- one of the things

4 that's very, very important, the CAC is getting into the

5 development --

6 ATTENDEE: Speak up.

7 MS. CAMPBELL: -- Disposition Development

8 Agreement, and it's so important because much of it

9 involves the regulators that we have here, that there is

10 an open seat on the CAC for a RAB member.

11 I believe Georgia will be discussing some of

12 these things later, but I think it's something that has

13 to be noted now as an action items. It's very, very

14 important, because what we found is: Lot of the CAC

15 members are uninformed about what takes place in the

16 Restoration Advisory Board.

17 MS. PENDERGRASS: Okay. Okay. So tell me

18 what -- what is it that you're asking, exactly? Is that

19 just for information purposes --

20 MR. CAMPBELL: I --

21 MS. PENDERGRASS: -- or --?

22 MR. CAMPBELL: I see Don has his hand up. He

23 wants to respond on that?

24 MS. PENDERGRASS: Yes, sir.

25 MR. CAPOBRES: With all due respect,

1 Mr. Campbell, you are on the CAC; and we did fill this
2 RAB membership seat, we believe, with your -- with your
3 assignment to the CAC.

4 MR. CAMPBELL: No. My understanding, that my
5 appointment was outside of that and that that other seat
6 was still open.

7 MR. BROWN: Exactly.

8 MR. CAMPBELL: We -- we can -- we can argue
9 that point later.

10 MS. PENDERGRASS: All right.

11 MR. CAMPBELL: Thank you.

12 MS. PENDERGRASS: I -- I'm just going to back
13 up one more time, just make sure we tied a bow on this.

14 Last time there were a lot of questions that
15 people held -- Ms. Harrison, I think you were one of
16 those people who had a question -- about the -- the
17 Redevelopment Agency's relationship with SFPD and then
18 all of that.

19 We tabled that discussion until this meeting so
20 that Mr. Capobres could be briefed and be ready to
21 answer those questions. Our -- This is the time and
22 place for that discussion. Is there --? Are there any
23 other questions that need to be brought forth at this
24 time?

25 I mean, I just want to make sure that people

1 understand that they -- they have had an opportunity to
2 be heard on that.

3 Mr. Brown, did you have anything else?

4 MR. BROWN: I had -- I had one more thing.

5 And make sure that -- Could -- Don, could you
6 make sure that we have a report from the -- when the
7 police done the detonation of the police -- the fire
8 report, because it's not in here. You know when the
9 fire -- fire had --?

10 MR. CAPOBRES: Yeah.

11 MR. BROWN: Okay.

12 MR. CAPOBRES: I -- well, I can make a request
13 of SFPD. I don't want to speak for them and the fire
14 department.

15 MR. BROWN: Right.

16 MR. BROOKS: Don, let me take that off your
17 plate, 'cause the Navy can coordinate that. We've got
18 the other fire report.

19 MS. PENDERGRASS: Okay. All right.

20 And so the rest of the questions that will be
21 directed to SFPD, then, aren't about land use as much as
22 it is about what they are doing on the property; is that
23 not correct?

24 I want to make sure we understand where the
25 questions lie. Now, about the land use and their --

1 what is contained and what they are able to do, those
2 questions need to be directed to the lessor, which would
3 be Redevelopment Agency.

4 In terms of actually what happened in the day
5 in question, those questions would be directed toward
6 SFPD.

7 So I just want to make sure we have -- do we
8 want to make sure that we have both people at the
9 meeting in September in case those lines get blurred, or
10 do we want to put a finish on that now?

11 MS. HARRISON: Question.

12 MS. PENDERGRASS: Yes, ma'am. Ms. Harrison.

13 MS. HARRISON: Misunderstanding. Weren't the
14 police department supposed to be here? I realize that
15 they just got beat up today too for inappropriate
16 actions, but weren't they supposed to be here tonight?

17 MS. PENDERGRASS: Well, we -- that was the
18 request. But as we heard from Mr. Brooks, they -- they
19 weren't available for tonight. They are available for
20 6:15 at our September meeting. Okay?

21 MS. HARRISON: Well, h'm. Okay.

22 MS. PENDERGRASS: Okay? So if there's -- all
23 right. Did you want to bring up anything else? Done?
24 Okay.

25 MR. BROWN: Okay.

1 MS. PENDERGRASS: All right.

2 Thank you, Mr. Capobres. That's completed.

3 Let's see. [Reading] Navy to contact the SF

4 Fire Department and the local fire -- Federal Fire

5 Department to obtain copies of the fire reports from the

6 three July fires and present that information to the

7 Risk Review and Health Assessment Subcommittee's August

8 meeting. The SFRA to address Board concerns regarding

9 lack of weed control on the part of SFRA. Results of

10 these discussions will be presented at the August RAB

11 meeting.

12 Did that happen?

13 MR. BROOKS: We have got -- collected the fire

14 reports that -- that we could get, and we've made copies

15 of those. We have a map of where the fires were, and

16 they are back here on the handout table. It's on the

17 agenda tonight to speak to those --

18 MS. PENDERGRASS: Okay.

19 MR. BROOKS: -- fire reports.

20 MS. PENDERGRASS: Okay.

21 MR. BROOKS: "SFRA to address Board concerns

22 regarding lack of weed control"?

23 MR. BROWN: Right.

24 MR. CAPOBRES: I didn't know that was as an

25 action item for me. We don't own or control any of the

1 property here. So I'm not sure what we would have to do
2 with the weed control at this point.

3 MS. PENDERGRASS: Maybe that's something to be
4 noted for new lease negotiations?

5 MR. CAPOBRES: Well, weed control on SFPD's
6 property, overall weed control's still the
7 responsibility of the deputy.

8 MS. HARRISON: I'm --

9 MR. BROWN: May I say something?

10 MR. CAPOBRES: Sure.

11 MR. BROWN: That's in Block 48 we are talking
12 about.

13 MR. CAPOBRES: Right. We don't own Block 48
14 yet.

15 MR. BROWN: Who owns it?

16 ATTENDEE: Who owns it?

17 MR. BROWN: The Navy?

18 MR. CAPOBRES: Yes.

19 MS. PENDERGRASS: Okay.

20 MR. MASON: The Redevelopment is only
21 interim -- what you got on the interim --

22 MR. CAPOBRES: We have leases for SFPD. We
23 have The Point lease -- sublease. We have one other
24 small lease with Wedrell James and the trailer spots for
25 the agency site office. Those are the -- are the

1 lease -- leases that we do have on the Shipyard.
2 Everything else -- well, everything is Navy owned. We
3 just sublease space from the Navy for those uses.
4 MS. PENDERGRASS: Ms. Harrison?
5 MS. HARRISON: Point of clarification: You
6 don't own it, which is understandable. How --? So
7 you're subleasing the property from the Navy, and then
8 you are resubleasing it out to other folks; is that what
9 you're telling me?
10 MR. CAPOBRES: Yes.
11 MR. MASON: Making money on that at the same
12 time.
13 ATTENDEE: Hey.
14 MS. PENDERGRASS: All right.
15 MS. ASHER: Marsha?
16 MS. PENDERGRASS: Yes. I'm sorry.
17 MS. ASHER: That's okay.
18 So when these fires happened, it was the San
19 Francisco Fire Department that responded, correct?
20 MR. BROWN: Right.
21 MS. ASHER: But it was Navy -- some -- one --
22 at least one of the fires was on Navy property. So was
23 the Navy fire department involved in --?
24 MR. BROOKS: The Hunters Point fire department,
25 I believe so. And the fires, except for the one that

1 was reignited down here on the panhandle -- I don't know
2 if you have the map, but the fire started off of Navy
3 property and burned across the fence onto Navy property.

4 MS. ASHER: Right, but wouldn't the Navy --

5 MR. BROOKS: But the Navy --

6 MS. ASHER: -- fire department respond to a
7 fire that was on Navy property?

8 MR. BROOKS: This one down here? I believe it
9 was the city and --

10 MR. BROWN: Tony did.

11 MR. BROOKS: Okay. So --

12 MS. PENDERGRASS: So are we having a report on
13 that a little later on in terms of exactly what happened
14 tonight?

15 MR. BROOKS: We have a copy of the maps, and we
16 have copies of the fire reports.

17 MS. PENDERGRASS: Okay.

18 MR. BROWN: I don't -- I don't see where the
19 fire was back there on Parcel D where the police
20 detonated the --

21 MR. BROOKS: No, you're right.

22 MS. PENDERGRASS: Yes, ma'am.

23 MS. OLIVA: About two weeks ago, there was a
24 fire about 6:30 at night. And I called Sergeant Ino --
25 I believe that's his name -- and I spoke with him.

1 And he said he was 200 yards away from it, and
2 he also mentioned that he wasn't sure if it was on the
3 Navy property.

4 And I said, "Well, don't you think there's a
5 chance it could be?" And I said I -- "Maybe you should
6 call the Navy fire department."

7 He said, "They told me they want me to scope it
8 out first."

9 And I -- in my estimation, I thought that any
10 kind of smoke and any kind of fire out there should not
11 be left to a sergeant on -- in the Navy police or
12 officer but that they should be there at any time in any
13 case. And I called Lynne at the same time and conveyed
14 the same message.

15 MS. PENDERGRASS: I'm just going to put this in
16 a box. This -- The concern that I'm hearing around the
17 table -- and not dictate to paraphrase everybody but to
18 kind of bring it to a head here -- is that there's fires
19 that are happening on the property that are -- that are
20 of unknown contaminants, and those contamination and
21 the -- the exposure is of concern to the -- to the RAB.
22 Is that -- is that what you all are saying, right?

23 MR. BROWN: Exactly.

24 MS. HARRISON: Exactly.

25 MS. PENDERGRASS: And so if you're trying to

1 find out -- the RAB is trying to find out, one,
2 what's -- what's the protocol for these fires; what's
3 the extent of contamination and that kind of
4 information, and you've asked that of the Navy.

5 The Navy says: "We don't own that property.
6 The Redevelopment Agency's handling that."

7 Mr. Capobres here has talked about that, and
8 he's saying that he subleased it to the fire department,
9 and the fire department is not here to talk about that.

10 Is --? Am I -- am I the only one that's kind
11 of getting lost in this circle?

12 MR. BROWN: Don Capobres said that the Navy --

13 MS. HARRISON: You know, actually, what would
14 help a lot if -- for poor me anyway, who is the final
15 person responsible for the upkeep of that property that
16 is being leased out?

17 MR. ATTENDEE: Is it --?

18 MS. HARRISON: Would that not be the owner of
19 the property? I don't care who's subleasing it. Would
20 that not finally be the owner of that property legally?

21 If I sued the police department, I would then
22 in return sue the Navy as well for endangering my -- my
23 well-being, because the Navy actually owns the property.
24 The police department is the sublessor. Then I would
25 sue the city because the police department actually

1 belongs to the city.

2 I mean, so --

3 MS. PENDERGRASS: But taking --

4 MS. HARRISON: -- wouldn't the final resolve be

5 with --? I just want to get, wouldn't the final resolve

6 be with the Navy?

7 MS. PENDERGRASS: Well, I guess what -- what

8 I'm trying to -- I understand exactly where you're going

9 with that, and that's -- what I'm trying to figure out

10 here is: The -- the whole scope of the RAB is to make

11 sure that you understand what the cleanup procedures

12 are, how those are, and to assess any risk that's going

13 on during that period of time. Now, that's why we're

14 here.

15 The fires are presenting a significant risk,

16 and everybody keeps saying someone else is responsible.

17 MR. BROWN: Right.

18 MS. PENDERGRASS: And I think the RAB wants to

19 know who's responsible and to -- and, first of all, even

20 re- -- beyond responsibility who -- what's happening and

21 what's the level of contamination during that fire.

22 So is the Navy addressing that, Pat, or is that

23 beyond the scope?

24 And maybe, Lynne, what is it that the RAB wants

25 to do? I'm -- I'm kind of out of my element here.

1 I'm --

2 MR. BROOKS: Let -- let me try and -- and clear
3 this up. The -- the Navy's -- The -- the fire
4 department on Hunters Point would be responsible for the
5 fires that occur on the Shipyard. That's why they are
6 there. That's why they have . . . [inaudible].

7 MS. ATTENDEE: I'm sorry --

8 MS. PENDERGRASS: Speak up a little bit. Okay.

9 MR. BROOKS: The Hunters Point Shipyard fire
10 department are responsible for the fires that occur on
11 the Shipyard. Fires that occur within the city, it
12 would be the city fire department responsible to put
13 those fires out.

14 Now, these fires, with the exception of the one
15 that Lynne mentioned with the detonation of that --
16 whatever it was --

17 MR. BROWN: Plastic.

18 MR. BROOKS: -- explosive device, that --
19 that -- that one occurred on the Shipyard. It began on
20 the Shipyard. And they have a fire truck there because
21 they thought it might start a fire, and they put it out.

22 These other fires started on city property and
23 burned onto the Shipyard. We don't have a record of any
24 toxic material being on -- in these areas where the fire
25 burned. And the fire reports, you know, that --

1 although they are not in great detail, they -- they
2 don't have any record of hazardous materials there
3 either.

4 MR. BROWN: But --

5 MR. BROOKS: The thing that I would like people
6 to -- to note is that the fires were put out. So the
7 fire departments were doing their job, their first job
8 of putting out fires and --

9 MS. HARRISON: My --

10 MR. BROOKS: -- and protecting property.

11 MS. HARRISON: -- understanding --

12 MS. PENDERGRASS: Just -- just let him finish,
13 though, Ms. Harrison.

14 MR. BROOKS: So, I mean, I think that's -- the
15 main thing is for the fire department to protect
16 people's property and put out the fires, which they have
17 done --

18 MS. PENDERGRASS: Okay.

19 MR. BROOKS: -- like a good fire department.

20 MS. PENDERGRASS: Mr. Brown?

21 MR. BROWN: Yes.

22 But once the fire was on this side of the
23 boundary and it came over to the -- the Navy side,
24 wouldn't it be the Navy and the fire -- the San
25 Francisco Fire supposed to coordinate that -- put out

1 that fire together?

2 MR. BROOKS: Well, yeah. I'm not an expert on
3 these matters --

4 MR. BROWN: Okay.

5 MR. BROOKS: -- but I would -- I think so,
6 yeah.

7 MS. PENDERGRASS: Back to the -- The crux of
8 the situation is, regardless of whose responsibility and
9 that it got put out, again, the whole concern here is
10 about possible contamination and why is that happening.
11 Is that correct?

12 MR. BROWN: Right.

13 MS. HARRISON: And then it --

14 MS. PENDERGRASS: So whose --

15 MS. HARRISON: Whether it started on the Navy
16 property or not, it ended up there.

17 MS. PENDERGRASS: Exactly.

18 MR. BROOKS: Okay. And so --

19 MS. PENDERGRASS: And if it's on Navy property,
20 is there some possible contamination?

21 MS. HARRISON: Exactly.

22 MR. BROOKS: Okay. And then Karen Pierce's the
23 Risk Subcommittee, we talked a bit about the fires, and
24 we talked about the concerns in the community and just
25 brainstorming ideas of ways to -- to monitor any toxic

1 material that can be in the air.

2 And one of the things -- well, a couple of
3 things that we discussed -- and we didn't really decide
4 on anything, but one idea I think that Maurice had was
5 give the fire departments some sampling devices to
6 sample air.

7 MR. TOMPKINS: No. It was me. That's
8 [indicating] Maurice, and I'm Ray.

9 MR. BROOKS: It was Ray. I'm sorry.

10 MR. TOMPKINS: Thank you.

11 MR. BROOKS: I apologize.

12 MS. PENDERGRASS: Moving right along.

13 MR. BROOKS: So this is Ray's idea.

14 And I didn't think it would really pass muster
15 with the Navy QA, quality assurance, quality control
16 people.

17 So I brought up the idea that perhaps we could
18 put something together much the way we do storm water
19 sampling, like after the first big rain, we have a group
20 of people who are prepared for sampling and kind of on
21 notice to go out and collect storm water samples after
22 the first rain. It's part of our storm water discharge
23 permitting process.

24 And I -- that's kind of about as far as we got
25 on that.

1 MS. PENDERGRASS: Mr. Brown?

2 MR. BROWN: But -- but that's what you going to

3 do. We need to see that -- Do we need the fire

4 department down here too?

5 MS. HARRISON: Yeah.

6 MS. PENDERGRASS: Okay. But I'm -- I'm going

7 to back up again to make sure we are all talking about

8 the same thing.

9 We are talking about right now -- We are not

10 talking about the fires and the fires being put out.

11 You're talking about the scope that you all are

12 responsible for, which is ma- -- understanding and

13 making sure that there's no contamination or

14 environmental health risk to the community; and you're

15 working with the Navy to do that for the cleanup.

16 MR. TOMPKINS: Right.

17 MS. PENDERGRASS: Okay. So in that scope of

18 things --

19 MS. HARRISON: And, and . . .

20 MS. PENDERGRASS: Yes, ma'am.

21 MS. HARRISON: And that adequate information is

22 given out immediately, not 21 days later, a whole

23 30 days later.

24 You know, some of our children -- in

25 particular, I'll use mines as an example -- have very

1 serious problems within the air over here at any rate.
2 And some of those children and some of our seniors have
3 very serious reactions to the air when we have a fire in
4 this particular area, whether it's started on the
5 Shipyard or not. The problem is that they have very
6 serious reaction.

7 So we need to have some kind of first line of
8 defense to help those folks so when those things occur,
9 it doesn't matter if it started on private property, on
10 the city's property, on Suzy Q's property.

11 If it ended up on that Shipyard, we need to be
12 notified immediately because of the dangers of what's on
13 that Shipyard and because of the fact that they don't
14 actually really be -- they are not honestly able to say,

15 "No, there was no contamination." Let me just put it
16 that way.

17 MS. PENDERGRASS: All right. So --

18 MS. HARRISON: Will that cause a problem?

19 MS. PENDERGRASS: Well, I mean, you -- you've
20 said two things. One is that there's air quality
21 problem. That's not the RAB's responsibility or the
22 Navy's. The air quality problem with the fire rests
23 with the City and that -- and the appropriate
24 department. I think you only need to direct that to
25 them.

1 But the other part is: The contamination or
2 air quality as -- as a result of Navy property and Navy
3 cleanup, that is in the -- in the purview of this group.

4 ATTENDEE: And --

5 MS. PENDERGRASS: Excuse me just one moment.

6 That's the purview of this group. And unless
7 there's some direction here towards Mr. Brook [sic] or
8 some -- something you'd like to know, that's where we're
9 at right now regarding the fires.

10 Yes, sir. Mr. Campbell and then Mr. Tompkins.

11 MR. CAMPBELL: Some of us spend a lot of
12 time --

13 MS. HARRISON: A lit louder, Maurice.

14 MR. CAMPBELL: Some of us spend a lot of time
15 working on emergency response. And any time a fire or
16 something like that takes place, there is a coordination
17 of communications.

18 MS. PENDERGRASS: Okay.

19 MR. CAMPBELL: Well, what this is basically
20 saying, that has been neglected.

21 MS. PENDERGRASS: Okay.

22 MR. CAMPBELL: And that has to be brought back
23 into play.

24 MS. PENDERGRASS: Okay.

25 MR. BROOKS: Who -- who didn't get a message

1 that these fires started? Because I believe the e-mail
2 messages were sent out that the fires occurred.

3 MR. CAMPBELL: Yeah, but the question is when.

4 MR. BROOKS: I would say within 24 hours, easy.

5 MS. RINES: I didn't get one.

6 MS. HARRISON: I didn't get one from the Navy.

7 However, I did get several phone calls from residents.

8 MS. PENDERGRASS: Okay. So it sounds to me
9 like we need to revisit that.

10 But Mr. Tompkins is next.

11 MR. TOMPKINS: Point of clarification for
12 historical record. Prior to I became a member of the
13 RAB, there was adjacent property aside from we discussed
14 in the Risk Assessment, and it was brought up in the RAB
15 meeting that DDT was over there at Yosemite Slough.

16 DDT breaks down to DD5, which is a
17 zeno-estrogen, which is suspected a high risk factor of
18 causing breast cancer in women, knowing the historical
19 fact that Bayview-Hunters Point African-American women
20 has the highest breast cancer rate in the world. When
21 that fire took place, there's a strong possibility that
22 DD5 was released.

23 I've been consistently asking ever since 2000
24 that the Navy, or whomever, when we are playing with
25 it's-not-my-responsibility game to really don't give a

1 damn, because our responsibility is to our families and
2 to the communities who is at risk, to give an analysis.

3 Mike, we spoke briefly. I understood you
4 couldn't make it because you had to go to Stockton.
5 Would the EPA make a recommendation to use foams for
6 suppression on fires, fires on the base? I know we
7 talked about it.

8 MR. WORK: We did talk about that. We actually
9 talked about that amongst the Navy and the regulators at
10 a separate meeting.

11 And we concluded that when you have an instance
12 of a fire tanker truck responding to a fire and using a
13 limited supply of water to extinguish the fire, that
14 that would probably be okay.

15 What we would be more concerned with is if you
16 had a fire that was near the shoreline and you had a
17 continuous source of water, like a hose attached to a
18 hydrant, and that there was a danger of runoff getting
19 into the bay. That was -- That would be of concern to
20 us, that kind of situation.

21 MR. TOMPKINS: The evidence which was presented
22 by the RASO committee, and that was my concern in asking
23 for evaluation of air contamination, that we do not
24 know -- the Navy does not know where the contamination
25 is on the base because of this tenant lease relationship

1 they had with Triple A.

2 Triple A was find [sic] guilty and was fined
3 \$80 million. The City copped out and settled for
4 \$1 million.

5 We don't know where the contamination is.
6 There is no records of where the contamination is
7 dumped.

8 Therefore, to err on the safety of the
9 community, we should consider all fires on the base as a
10 chemical fire and a potential and should be handled in
11 that fashion. That is my concern, because we know some
12 chemicals react adversely to water.

13 MS. PENDERGRASS: Mr. Tompkins?

14 MS. TOMPKINS: It would be a catalyst to the
15 fire spreading. We should err on the side of caution.

16 MS. PENDERGRASS: Okay. You've made a
17 recommendation. It's kind of fallen flat because it
18 hasn't been really directed to any specific agency or
19 directed to --

20 MR. TOMPKINS: Well, let me make mine real,
21 real definitive, then.

22 To the Navy, since they are the owner of the
23 property, all fires, period, and to adjacent property
24 because it's still being litigation we say between where
25 the contamination came from the DDT because it was

1 practiced in the '40s and '50s.

2 I'm a Navy brat for 20 years. They
3 sprayed DDT to keep down mosquitoes in the adjacent
4 property, and chemicals do not know property lines, and
5 there's contamination; that therefore, the Navy should
6 on all fires do air analysis so that we know what the
7 risk is to the community immediately.

8 All you need to do is with the CBE, you grab
9 the can, you do the sample, bam, it's done. The air
10 sample is caught then on the site. Could be done
11 quickly and then turned over to an independent lab so
12 people don't have any qualms about who's running the
13 test.

14 MS. PENDERGRASS: Mr. Brooks --

15 MS. TOMPKINS: That was my recommendation.

16 MS. PENDERGRASS: -- is that recommendation
17 something within your scope of reporting back on?

18 MR. BROOKS: Yeah, it sure is.

19 MS. PENDERGRASS: Okay. All right. So we
20 can --

21 MR. TOMPKINS: Thank you.

22 MS. PENDERGRASS: -- expect a report back on
23 some system put in place to deal with fires that
24 encompasses that particular aspect at the next meeting
25 as an action item follow-up?

1 MR. BROOKS: You bet you.

2 MS. PENDERGRASS: Thank you.

3 Yes, sir.

4 MR. MASON: This took about a year going over
5 the emergency response with the Navy and the City of San
6 Francisco, and there was always an outline of that. And
7 I -- and I think it probably needs to be revisited,
8 because I think that any time that there's a fire on the
9 Shipyard, whether the city side or the Navy side, you
10 know, there should be some kind of coordination, you
11 know.

12 Whether the city side is close to the Navy,
13 then, you know, that City be getting in touch with the
14 Navy; the Navy should be there also because it's their
15 responsibility, you know.

16 So I think that probably we need to revisit,
17 you know, some of that area of the -- of emergency
18 response and have the city and the Navy fire department.

19 MS. PENDERGRASS: So Mr. Mason --

20 MR. BROOKS: I think if I can respond . . .

21 MS. PENDERGRASS: Before you respond to that,
22 though, that's a -- that should be an off-line
23 discussion that's presented after you all have worked
24 out the details to the full RAB.

25 MR. BROOKS: Okay.

1 MS. PENDERGRASS: So if you already have
2 something in place, what committee do you think that
3 that would be best discussed in detail?

4 MR. MASON: Hey, Risk Assessment.

5 MS. PENDERGRASS: Okay. So as some kind of
6 action item, can we get that on the agenda for the Risk
7 Assessment Committee --

8 MS. TOMPKINS: Well --

9 MS. PENDERGRASS: -- to go through --

10 MR. TOMPKINS: I'm sorry.

11 MS. PENDERGRASS: -- the current emergency
12 response protocol, whatever it is, and add whatever you
13 think is missing, update the e-mail list or whatever you
14 need to do, and then present that final plan back to the
15 RAB? Does that make sense?

16 Okay. So nodding of heads would be good.

17 MR. ATTENDEE: Yeah.

18 MS. PENDERGRASS: All right. That -- that
19 works.

20 Mr. Mason, would that work for you?

21 MR. MASON: It would work for me.

22 MS. PENDERGRASS: Okay. Very fine.

23 So at this point, then, that's an action item
24 to be followed up by the Risk Review Assessment
25 Committee. Okay?

1 All right. Let's get to 5, because we are
2 really running behind here. The fifth action item was
3 [reading]: Michael Work at USEPA to research potential
4 hazards posed by the detonation of ammunition at the --
5 at Hunters Point Shipyard and present the results -- the
6 research results at the next RAB meeting.

7 MR. WORK: Yes, that was --

8 MS. PENDERGRASS: Michael, are you prepared to
9 do that today?

10 MR. WORK: I want to report back to the RAB --

11 MS. PENDERGRASS: Okay.

12 MR. WORK: -- what I have thus far --

13 MS. PENDERGRASS: Okay.

14 MR. WORK: -- yes. This was in response -- I'm
15 assuming, a RAB concern in response to SFPD detonating
16 the two shells they found.

17 I spoke to the EPA project manager in our
18 office in Region 9, who's probably our -- if we have an
19 expert on ordnance, it would be him. He was the project
20 manager on Fort Ord for many years, and he pointed me to
21 a plan -- a Ford Ord plan specifically to investigate
22 any threats from residue from detonating ordnance. And
23 I'll be glad to share this, what I have here, with
24 anybody on the RAB.

25 His conclusion was that at Fort Ord that in

1 instances where they have, like, just one or two
2 detonations, they don't really consider that of
3 sufficient concern to conduct any sampling. However, if
4 you have a situation where you have an area that's
5 commonly used for detonations, then they have -- they do
6 go sample those areas.

7 So his reaction was: He wouldn't -- He
8 actually wouldn't worry about one or two detonations.
9 But if the police department makes a habit of conducting
10 detonations in a specific area, that we should take some
11 samples in that instance and -- 'cause -- 'cause there
12 are potential chemicals of concern in such an instance.

13 And let's see. I still have some more research
14 to do. There's another -- there's another research
15 paper that I'm trying to get a hold of, and I haven't
16 got it yet.

17 MS. PENDERGRASS: Mr. Campbell.

18 MR. CAMPBELL: Michael, I -- I think more of
19 our concern was --

20 MS. PENDERGRASS: Can you speak up louder,
21 please?

22 MR. CAMPBELL: Sure.

23 I think, Michael, where we were concerned was
24 not so much the ordnance that was exploded but where it
25 was exploded, in other words, a toxic area of the

1 Shipyard.

2 And exploding something and taking certain
3 pollutants and making them airborne, that would be
4 probably very strongly a difference with Fort Ord
5 because Fort Ord wasn't a research laboratory, per se.

6 MR. WORK: Well, actually, that would be easier
7 to check on. Thanks for the clarification there.

8 MR. CAMPBELL: Sure.

9 MR. WORK: That's going to make my task a
10 little simpler.

11 MR. CAMPBELL: Great. Thank you.

12 MS. PENDERGRASS: And you will report back at
13 our next RAB meeting, then?

14 MR. WORK: Yes.

15 MS. PENDERGRASS: So we will continue that as a
16 continuing action item.

17 Miss Rines, did you have --?

18 MS. RINES: That was just basically the same
19 thing. It's like, Fort Ord isn't a Superfund site. So
20 they can -- is that true? Is Fort Ord a Superfund --?

21 MR. WORK: Actually, it is.

22 MS. RINES: Okay. But is it -- is it -- isn't
23 this site, like, on a different level?

24 Or, I mean, isn't, like, the level of the --
25 the toxins different between here and Fort Ord?

1 MR. WORK: Well, you know, every site's
2 slightly different, different types of contamination.

3 MS. RINES: Basically the same thing was, like,
4 if it was whatever the toxins are, it's not about what
5 they were exploding, but what it was, you know, bringing
6 up from the earth that was toxic.

7 MR. WORK: Yes, yes, I understand that now.

8 MS. RINES: All right.

9 MS. PENDERGRASS: All right. Thank you.

10 MR. TOMPKINS: One quick point.

11 Fort Ord being where they do the detonation is
12 not in close proximity to the population as what is out
13 here at the Shipyard for when they're dealing with
14 ordnances and that.

15 MS. PENDERGRASS: All right. We're going to
16 get back on schedule here real quick.

17 Mr. Brooks, did you have some other
18 announcements?

19 MR. BROOKS: Well, yeah, I do, as a matter of
20 fact.

21 I'm here tonight because Keith Forman and his
22 naval reserve unit are in Korea. So I'm standing in for
23 Keith. And a couple things have dropped through the
24 cracks here, like my not contacting Lynne to finalize
25 the agenda. But I'm trying to do as good a job as I

1 can, so bear with me.

2 Far as new business here, I've got a sign-up --
3 it's not actually a sign-up sheet, but it's a table of
4 people's names that are included in the draft Community
5 Relations Plan. We talked last time, I think, about did
6 we want -- did the people want their affiliation on
7 there, is their name spelled correctly.

8 So what I want to do is just pass this around
9 to the RAB members so they can make any corrections or
10 deletions, and then initial here after -- after you've
11 made any corrections so we can just make sure that the
12 information that you want in the plan is there and the
13 information that you don't want in the plan is not
14 there, okay?

15 So I'm going to just start here with Lynne --

16 MS. PENDERGRASS: Thank you.

17 MR. BROOKS: -- and pass that around.

18 MS. PENDERGRASS: Any other announcements?

19 MR. BROOKS: That's it.

20 MS. PENDERGRASS: All right.

21 Mr. Brown?

22 Just a minute.

23 MR. BROWN: I'd like to turn my announcements
24 over to Joni.

25 MS. PENDERGRASS: Ms. Risk?

1 MS. JORGENSEN-RISK: Okay. Well, basically,
2 I'm putting together the community information fair that
3 we're setting up for October, and there's a lot of
4 issues that I'd like to brainstorm, and I'd like to do a
5 little brainstorming in the planning session with all
6 the RAB members. So I've got a sign-up sheet, and I'd
7 like for you to provide your interest.

8 We -- we're also going to set up a RAB booth at
9 the community information fair. So we'd like to have
10 RAB members to also be present during the community
11 information fair.

12 So I'd like for you to fill out your name and
13 your phone number and e-mail and then sign up for either
14 or both. That would be great. And we can -- we're
15 going to do this around your schedule. So if you please
16 fill it out. Thank you.

17 MS. PENDERGRASS: Now, does everybody know when
18 that is?

19 MS. JORGENSEN-RISK: Well, right now we're
20 looking at October the 18th.

21 MS. PENDERGRASS: Okay.

22 MS. JORGENSEN-RISK: And that's on the sign-up
23 sheet. I've got the particulars on there.

24 MS. PENDERGRASS: Very good.

25 Mr. Brown, do you have other announcements?

1 MR. BROWN: Once more.

2 MS. PENDERGRASS: Do you have any other

3 announcements?

4 MR. BROWN: No, I don't.

5 MS. PENDERGRASS: Do you have any other general

6 announcements for the RAB? Did you have one?

7 MS. OLIVA: I do have one. I have two,

8 actually.

9 MS. PENDERGRASS: Okay. Do you want to stand

10 up?

11 MS. OLIVA: Mr. Brooks, is it Officer Brooks?

12 MR. BROOKS: Yeah, you can call me Officer

13 Brooks. I can call you "Officer" back.

14 MS. OLIVA: Okay. My first question --

15 MR. BROOKS: No. I'm -- I'm a -- I'm a

16 geologist.

17 MS. OLIVA: My first question is -- after my

18 second question, I'd like you to answer -- give us any

19 information on the breach of the methane, passive

20 methane system.

21 The second question, which is coming before the

22 first one, is that I attended the Citizens Advisory

23 Committee meeting last night, which is appointed by the

24 Mayor; and Lennar and Redevelopment -- Don is here --

25 presenting what they are calling their Development

1 Disposition Agreement, a DDA, which is about this
2 [indicating] thick, is going to be presented to the CAC
3 for review; and they have 90 days with which to comment
4 on the marriage of Lennar and Redevelopment.

5 One of the most interesting things that
6 happened is: Larry -- I can't remember his last name --

7 MR. BROWN: Laurent.

8 MS. OLIVA: -- who's the Lennar fellow, said
9 that they are planning -- and we have water quality
10 here -- to apply for a permit in the spring in order to,
11 as he said, "turn the dirt." I believe that was it.
12 And there are reports that need to come in, the HRA;
13 we've got the ENA. Pardon me for all the acronyms.

14 But I'd like to know -- I'd like the Board to
15 be aware of this happening. Maurice is the only one
16 from the RAB that's there. They do have one open chair.
17 I do think that the right hand needs to know what the
18 left hand is doing with both of these organizations.

19 This is a very important document that,
20 according to one of the observants there, who said he
21 met with Mayor Brown, that he wants to get it in during
22 his term.

23 Another one who is on the -- on the CAC who is
24 a member of STAR, which is the Shipyard Trust Artists
25 Fund, said that he met with the Mayor, and he said it's

1 not going to go through during his administration.

2 However, if it does go through, that changes a lot of
3 things.

4 And so I just want to make the Board aware of
5 that. Maurice can go into much more detail on it. But
6 I was most surprised.

7 MR. CAMPBELL: I'll just say one thing. The
8 conveyance agreement, several us worked on the
9 conveyance agreement for --

10 MS. PENDERGRASS: Can you speak up, please?

11 MR. CAMPBELL: Sure. The con- --

12 MS. PENDERGRASS: Give him the microphone.
13 There. Thank you.

14 MR. CAMPBELL: The conveyance agreement has
15 certain specifics of how certain things will -- property
16 will be conveyed, whether it be property A, property B,
17 property C, et cetera. And there are certain specific
18 methodologies.

19 Now, what concerns us is: The conveyance
20 agreement has not been signed by the Navy, and that
21 affects the Disposition Development Agreement. And we
22 think it's very, very important for continuity that the
23 regulators be involved --

24 MR. BROWN: Right.

25 MR. CAMPBELL: -- with the CAC, because the CAC

1 has no idea what the regulators do and what the
2 necessary steps are.

3 MR. BROWN: Right.

4 MR. CAMPBELL: And I believe Don is here
5 because there was some discussion on this.

6 MS. PENDERGRASS: Okay. Don, did you want to
7 add anything to that?

8 MR. CAPOBRES: Yeah.

9 I just want to be perfectly clear that we are
10 on parallel tracks working on a Development Disposition
11 Agreement with Lennar. And frankly, we have been
12 planning the reuse of Hunters Point Shipyard for over
13 ten years. That's a separate track. The lead agency,
14 or the lead community group, on that has been and always
15 has -- always has been the Mayor's Hunters Point
16 Shipyard Citizens Advisory Committee.

17 So that type of planning is ongoing and has
18 been for ten years. The charge of the RAB -- you all
19 know what you're here for -- is to monitor the cleanup
20 and to work with the Navy on the cleanup.

21 I can't state this -- this clearly enough: No
22 new development will happen on Hunters Point Shipyard
23 until the Navy and the regulator and -- well, people who
24 are signatories for the FFA say it's safe to do so until
25 property's transferred to the Redevelopment Agency.

1 So we're going in parallel tracks because we
2 need to, to make sure we are ready for when the Shipyard
3 is ready for development after it's clean and
4 transferred, and that's a parallel track.

5 The two are related because we and Lennar
6 cannot do anything until the property's transferred.
7 But the agreements are all contin- -- you know, all the
8 work that Lennar will be doing in the future on this
9 first phase of development are contingent upon getting
10 the land, and that's why we're all here, just to make
11 sure the Navy is working with the community to -- to
12 clean it up in a proper way.

13 So I want to make sure there's a distinction
14 between the role between the CAC and the RAB. There's a
15 distinction between what's going on in the negotiations
16 with the Redevelopment Agency and Lennar and the cleanup
17 that the Navy's undergoing. They are two separate
18 processes linked by the fact that we need the land to
19 reuse the Shipyard at the end of the day.

20 MR. CAMPBELL: Sure. I'd like to respond for a
21 second.

22 Our --

23 MS. PENDERGRASS: Wait, wait. The -- There
24 really -- This is not the proper time for a response,
25 'cause at this point, you all had asked a question and

1 had the question answered.

2 And so Mr. Capobres, are you going to be
3 available for in-depth questions at the break at this
4 point?

5 MR. CAPOBRES: Yes.

6 MS. PENDERGRASS: Because, I mean, again --

7 MS. HARRISON: Excuse me, Marsha.

8 MS. PENDERGRASS: -- it does concern the
9 entire -- the entire RAB at this point. So those are --

10 MS. HARRISON: Excuse me, Marsha. I beg to
11 differ with you. I think it does concern the entire
12 RAB, because do you realize that if the City could sign
13 a legal document with Lennar, that that's a binding --

14 MS. PENDERGRASS: Okay.

15 MS. HARRISON: -- document?

16 MS. PENDERGRASS: Ms. Harrison, please forgive
17 me, because I -- I understand and I am not negating
18 the -- the importance of any document or any other
19 processes. I am not here to say that.

20 What I am saying here tonight is that this RAB
21 at this point is not concerned with that aspect of
22 that -- of -- of this plan. This RAB tonight is
23 concerned with the cleanup efforts and the Navy in that
24 monitoring. There are other things that are happening
25 parallel.

1 So don't get me wrong. I understand that. And
2 if you have questions about that, the people to hear --
3 or to ask those questions are here. So certainly ask
4 those, but not a part of -- as part of RAB. We need to
5 move on --

6 MR. BROWN: Right.

7 MS. PENDERGRASS: -- with cleanup issues at
8 this point.

9 MR. BROWN: Right.

10 MS. PENDERGRASS: And that's what I'm trying to
11 get to.

12 Miss -- Ms. Pierce, if this isn't germane to
13 this or --

14 MS. PIERCE: It's very germane to this, okay;
15 and that is because there is a circular argument that
16 goes on with the Navy saying that they are going to
17 determine the level of cleanup based on the proposed
18 reuse.

19 And that's one of the main stumbling blocks we
20 have encountered all along, because there's this
21 constant back-and-forth with, "Well, we don't need to
22 clean up this part of Parcel B to this standard because
23 the plan is to use it for this particular activity."

24 MS. PENDERGRASS: Yes, ma'am.

25 MS. PIERCE: So they -- while they are separate

1 processes, because of the way the Navy is choosing to
2 proceed in their determination of cleanup, they are very
3 much linked, and every RAB member should be aware of
4 that.

5 MS. PENDERGRASS: Okay. All right. Okay. I
6 hear that.

7 MS. SUMCHAI: Point of order, I would like to
8 move the agenda.

9 MR. BROWN: Second.

10 MS. PENDERGRASS: Okay. Let's see. Where --?
11 There are no other announcements? If there aren't any
12 announcements, then we're going to move on.

13 "The proposed removal actions at Parcel E."
14 Who's handling that?

15 MR. AHLERSMEYER: That would be me.

16 MS. PENDERGRASS: Okay. Then you have a
17 presentation that's going to last about twenty minutes?

18 MR. AHLERSMEYER: Yeah, max.

19 MS. PENDERGRASS: And you --

20 MR. AHLERSMEYER: I can do that. I can go
21 right through.

22 First of all, I want to introduce myself. My
23 name's Ryan Ahlersmeyer. I'm a geologist by trade.
24 Been with the Navy for, like, nine months. But this is
25 my first RAB. So be nice.

1 MS. PENDERGRASS: Thank you.

2 MR. MASON: Congratulations.

3 MR. AHLERSMEYER: This is a -- You're going to
4 see a lot of serious removal actions on Parcel E that
5 are going to start taking place. We're really excited
6 to move forward on Parcel E.

7 MR. BROOKS: I think it needs a little focus.

8 MR. AHLERSMEYER: Oh, I'm sorry.

9 MS. HUNTER: Oh. Is that better?

10 MR. AHLERSMEYER: Yeah, that looks good.
11 Does everybody have their handouts?

12 MS. WRIGHT: I did not see one.

13 MR. AHLERSMEYER: They're back on the back
14 table.

15 MS. JORGENSEN-RISK: I have three left.

16 MR. MASON: There's people don't have them.

17 MS. PENDERGRASS: Let's move along here.

18 MR. AHLERSMEYER: Okay.

19 All right. First of all, it's a removal
20 action. Everybody's heard of IR-02 Northwest.
21 Actually, IR-02 Northwest and Central's over Parcel E.
22 It's -- Everybody knows it by the name of radium dial
23 disposal area. You're not viewing the slide -- or
24 viewing the show.

25 All right. Here's a little chronology. I'm

1 going to go through the history of the site just to
2 bring everybody up to speed. 1940 to '46 and actually,
3 all this is going to be a by and some shoreline pictures
4 and you can see. '40 to '46, that's when the majority
5 of the fill operation took place over on Parcel E.

6 '46 to '70 is when there was minor
7 modifications to the shoreline. You'll also notice this
8 in the picture.

9 '60 to the early '70s, that's when -- that's
10 everything we have read, and everything in all the
11 documents at this point indicates that's when the IR-02
12 Northwest and Central is used as a disposal area.

13 '76 to '86, as Ray pointed out, was a pretty
14 gray time. Tripe A machine shop. Everything that we
15 know so far, everything we know at this point is that it
16 was -- they used it for the same purposes that we did as
17 the Navy.

18 There it is. It's over Parcel E. It's pretty
19 much -- This is all IR-02. This little area is called
20 IR-02 Northwest, and then it also butts into IR-02
21 Central a bit. These are these old pictures.

22 The current shoreline right here, this is a '35
23 shoreline. Next. This is the '46. This is when the
24 majority of the operation took place. This is the
25 current shoreline up here, and there's the third. So

1 all this has been added in that little time period.

2 And now we've moved out to '69. It was '69 to

3 '76 there was minor modifications to the shoreline.

4 Right there is -- Doug --

5 MS. ASHER: Could you speak a little louder

6 and --

7 MR. AHLERSMEYER: Okay.

8 MS. ASHER: -- slower so we can hear you?

9 MR. AHLERSMEYER: Sorry.

10 MR. BROWN: Take your time, Ryan.

11 MR. AHLERSMEYER: Sorry. I was trying to move

12 fast here with these pictures.

13 All right. Current shoreline right there, that

14 one. '35 is way back here and this is the '69.

15 Little hist- -- little more history: '84 was

16 the initial assessment study. These are -- This is,

17 like, the first step that you do: You get out there,

18 and do the record review and visual inspection and all

19 that.

20 The record review indicated that there was

21 6,000 pounds of radioluminescent device in a fill area

22 over on Parcel E, radioluminescent being radium dials,

23 buttons, anything that glows in the dark, strontium deck

24 markers.

25 The first assumption at that point was that

1 that was when you say -- read fill area, you think:
2 Okay, this is the formal industrial landfill. Well,
3 when we got out there, after you do the initial
4 assessment study, you go through and start doing -- you
5 execute all the recommendations from that and the
6 remedial investigations.

7 That included 1988 surface survey that was done
8 out there, and the survey indicated that most of the
9 devices that they -- that they read in the review were
10 found over along in IR-02 and not in along the
11 industrial landfill as they expected. So that basically
12 identified the need for further work.

13 1991, this is the further work. This is the
14 Phase I investigation. It was intended to determine
15 location type and the amount and location type and
16 amount of all the devices that they had found or that
17 they had written about.

18 They included a surface scan, and the surface
19 scan basically indicated that was over 300 point sources
20 in one area that was 600 by 600 feet. That's the IR-02
21 Northwest and a little bit in.

22 And they also took some soil samples as a part
23 of this, and 13 of 46 soil samples that were collected
24 had some radium in them, and the radium is derived from
25 the paint that's on the devices. So it's a breakdown

1 over the years, and it gets into the surrounding soil
2 where the devices were buried.

3 '93, the second phase of this work. This is
4 where -- This is to determine the subsurfaces
5 distribution, because it did indicate that the earlier
6 work indicated that this was a fill area that they were
7 using these things and they were buried.

8 So we went out there, and they -- there was a
9 series of trenches and test pits dug out there; and that
10 through this trenches and the test pits in the whole
11 area, they used the original surface scans within the
12 area where they would go subsurface.

13 They did the subsurface in that whole area, and
14 that indicated -- they started finding devices
15 subsurface. That indicated that the actual buttons,
16 markers, dials, everything were buried in the area about
17 450 feet by 400 feet, a little bit smaller than the
18 bigger area.

19 So basically what I'm saying is that the big
20 area there is some at the very surface that -- and the
21 small area there was where they're actually at depth.

22 And they also did work in the inter-tidal
23 areas, because this is not right on the shoreline but
24 pretty darn close to the shoreline, and they found no
25 devices at depth along that shoreline.

1 These -- This is the results of it, actually.
2 This is the -- both of those investigations. When I
3 talk about the 606 -- 600-by-600 area, that's the big
4 red line right there, and then we start talking about
5 the 450 by 400, 450 by 400 feet area where the
6 subsurface. It's right there.

7 These are all the test pits too. The pi- --
8 pink ones are where they actu- -- where they actually
9 found devices. And the black ones out here are where
10 they didn't find any devices. All these test pits were
11 15 feet deep, and these are the trenches too. They

12 found them in these trenches and not in this one right
13 there.

14 Next slide.

15 "Why a Removal Action?" Everybody asks. First
16 thing to reiterate -- or not reiterate but to say is
17 that there is no imminent -- there is no danger to the
18 public right because everything is covered with soil.
19 There was some stuff found at the surface, but those
20 have been removed.

21 The removal action is going to be taken,
22 though, to eliminate any future potential risk due to
23 those two items right there, migration due to their
24 presence near the surface -- they are not at the
25 surface, but they are near -- and migration due to wind,

1 erosion and runoff. Proximity to the bay is a big thing
2 if there's a big fire there.

3 This is just a general scope of work. That's
4 the picture right there of the site where you guys can
5 kind of infer where you're at on there.

6 General action is to screen for and physically
7 remove, transport and dispose of those devices and the
8 affected soil, and when I say affected soil, I mean the
9 area directly surrounding those devices.

10 Typically what happens is: When they start to
11 break down, the radium gets into the soil, but it
12 doesn't go more than a cubic foot around the device.

13 Maurice? Okay. I'm sorry.

14 The work elements -- these are general -- is
15 the work plan development, which we're currently in that
16 part right now, removal action implementation; then you
17 come through and do a final status survey after we've
18 removed all the devices. That's where RASO gets
19 involved, has to be MARSSIM compliant, and then you got
20 site close-out.

21 This is a little bit more in depth. This is
22 some of the specifics. We're going to go out and do a
23 site investigation which is going to include debris
24 cleaning, get the vegetation taken out of there and
25 getting everything set up, establishing the boundaries

1 of the removal action.

2 Surface scan, kind of like they did before. I
3 don't really expect to find much in doing the surface
4 scan because they've already done those and removed most
5 of the point sources. But we are -- we're going to do
6 the whole site, the 600 by the 600. If we do pick up
7 any of the point sources, they are going to remove them
8 at that point.

9 Now we're going to focus in -- After you do
10 that because of the big area that are real close to the
11 surface, after we get that area cleared, we are going to
12 focus in on the small area that I pointed out where they
13 are buried at that depth. This is going to be kind of a
14 reenter process.

15 We are going to scan the surface, remove any
16 point sources that we find in that during that scan.
17 Then you got to come back through, do one-foot lift of
18 soil, take that soil off, and run it through a conveyor
19 of sort, break it down to about an inch or two inches of
20 thickness, and then do another scan. It's kind of --
21 we're going to double it. We're going to be scanning
22 the same soil twice, but that's just to double-check
23 your own work essentially.

24 A lot of times the devices that we're going to
25 be using ideally get to 12 inches. You can take out

1 radiation, like, 12 inches in the soil. Practically,
2 8 inches. So that's why we're doing 1-foot lifts and
3 then screening it again so we make sure we get
4 everything.

5 And the little arrow on the side there
6 that's -- we're going to do at 1-foot lifts. Going to
7 do that process over and over again until we get to
8 10 feet, the 10-foot rule at Hunters Point and the San --
9 or the San Francisco Bay mud, because the previous study
10 indicated that there's nothing under San Francisco Bay
11 mud. Okay?

12 MS. OLIVA: Um --

13 MS. PENDERGRASS: Can you hold the questions
14 till the end, please?

15 MS. OLIVA: Oh, sorry.

16 MR. AHLERSMEYER: Sorry about that.

17 All right. Next step is: Dispose of all the
18 materials at an off-site disposal facility -- I'm not
19 really sure what the acronym means, but -- and the
20 excess soil, the associated.

21 Then we are going to characterize the ex- --
22 well, also, we're going to come in and characterize the
23 excavation boundary and the soil to be used as backfill.
24 The excavation boundary is going to be confirmation
25 samples along the side and the bottom.

1 Then we are going to backfill with the soil we
2 just characterized. We are going to use imported clean
3 soil for the top 3 feet and then use -- go through site
4 restoration, which is grading and revegetation.

5 One more -- one more press there, Carolyn.
6 There we go.

7 This is a little graphic that we put together.
8 It's going to -- We're -- Next fact sheet you're going
9 to see is on this. This basically just reiterates what
10 you just saw on the individual steps. This is going to
11 be in the fact sheet, I believe.

12 Cleanup goals here. This is preliminary
13 agreement between -- We have been working closely with
14 EPA RAD technicians or RAD -- one of the technicians,
15 RAD expert, and he's indicated that these are -- this is
16 a cleanup goal we should use is 2 picocuries per gram.

17 And considering we're doing this under the
18 existing basewide radiological removing -- removal
19 action memorandum, there are a number of other
20 radiological constituents that are listed in there. We
21 are going to be screening for those the entire time.
22 And if we do find anything else, they are going to be
23 subject to the cleanup goals that are going on in the
24 basewide cleanups that RASO's conducting.

25 Here's a schedule. The 29th, that's about a

1 month and a half ago -- or no -- a month ago. I'm
2 sorry. We had that in our hands, and we are going
3 through our internal review of the work plan right now.

4 RAB today.

5 Work plan to the regulatory agency is coming up
6 next month, given we get our internal review done on it.

7 And we are looking at late November to begin
8 the removal action. It's going to be a long process
9 too. You're going to see a lot of work out there. And
10 actually, I wouldn't be opposed to putting together a
11 nice field trip like we did at the landfill. It would
12 be a good thing. It's going to be going on through
13 September of next year.

14 MR. BROOKS: We are done.

15 MR. AHLERSMEYER: She can go ahead.

16 MS. PENDERGRASS: All right.

17 MR. AHLERSMEYER: Question.

18 MS. PENDERGRASS: Well, we are going to take a
19 break, and then we will have questions. We have to take
20 a break first. So ten minutes.

21 (Recess 7:10 p.m. to 7:29 p.m.)

22 MS. PENDERGRASS: We've come back on the record
23 to -- we're going to have questions at this point.
24 Ryan?

25 MR. AHLERSMEYER: What's going on?

1 MS. PENDERGRASS: Oh. I was trying to
2 pronounce your last name.

3 MR. AHLERSMEYER: Allersmyer [phonetic].

4 MS. PENDERGRASS: Allersmyer [phonetic].

5 All right. Ms. Oliva, you had a question and
6 then Mr. Campbell and then --

7 MS. HARRISON: I was first, but that's okay.

8 MS. PENDERGRASS: How about Ms. Oliva,
9 Ms. Harrison, and Mr. Campbell, Ms. -- Dr. Sumchai and
10 then --

11 MR. TOMPKINS: I'll --

12 MS. PENDERGRASS: -- Mr. Tompkins. So we got
13 three, okay?

14 MS. HARRISON: Uh-huh.

15 MS. SUMCHAI: You too.

16 MS. PENDERGRASS: All right.

17 MR. TOMPKINS: You got three or four.

18 MS. OLIVA: Thank you for your presentation.

19 MR. AHLERSMEYER: No problem.

20 MS. OLIVA: I have two questions, which I
21 always seem to have. You're going down 10 feet a foot
22 at a time.

23 MR. AHLERSMEYER: Yeah.

24 MS. OLIVA: Are you going through the cap
25 first?

1 MR. AHLERSMEYER: No. This is not on the
2 landfill. This is outside the landfill as we are
3 talking about.

4 MS. OLIVA: Outside on the bay side?

5 MR. AHLERSMEYER: On the bay side of Parcel E,
6 of IR-02.

7 MS. OLIVA: Okay. If you're going down foot by
8 foot --

9 MR. AHLERSMEYER: Yeah.

10 MS. OLIVA: -- are you considering tenting the
11 area? Because not only for the people on top of the
12 hill of Bayview, but for those of us that are lea- --
13 renters from the master tenants, and there's 300 of us
14 artists and other people down there.

15 MR. AHLERSMEYER: I am considering it very
16 heavily, and I want to do it, and I think we will be
17 doing it. It's not in the work plan as of yet, but it's
18 internal; and that's one of my comments on that, that I
19 want to do that.

20 MS. OLIVA: How can we find out that it will
21 happen?

22 MR. AHLERSMEYER: That it will happen?

23 MS. OLIVA: Or that we shouldn't be there in
24 November until --?

25 MR. AHLERSMEYER: I think I'm going to go out

1 on a limb and say it will happen, and I think Pat's
2 supporting me.

3 MS. OLIVA: Is that hard-copy words?

4 MS. JORGENSEN-RISK: It will be in the
5 transcript.

6 MR. AHLERSMEYER: Put it in the transcript. It
7 will be tended.

8 MS. OLIVA: Thank you.

9 MS. PENDERGRASS: Ms. Harrison.

10 MS. HARRISON: Couple -- Two questions. First
11 of all --

12 Excuse me.

13 MR. AHLERSMEYER: Sorry.

14 MS. HARRISON: Thank you. Two questions. I'd
15 first of all like to know what the cost of this process
16 is going to be.

17 MR. AHLERSMEYER: Preliminary 5 million.

18 MS. HARRISON: I actually don't need that
19 [indicating microphone].

20 MR. AHLERSMEYER: Preliminarily, about
21 5 million bucks.

22 MS. HARRISON: About how much?

23 MR. AHLERSMEYER: About \$5 million.

24 MS. HARRISON: About \$5 million. And can you
25 tell me, what is the life cycle of -- of --

1 MR. AHLERSMEYER: -- radium-226, the half-life?
2 MS. HARRISON: Yeah.
3 MR. AHLERSMEYER: You know what, I'm not going
4 to speak to it. I don't know what the half-life is. I
5 want to say it's . . . I'm not going to say it.
6 MS. HARRISON: Okay. Well --
7 MR. AHLERSMEYER: I don't know.
8 MS. HARRISON: I have a guesstimate, but I --
9 I'm not sure that I'm correct. I won't do that. But --
10 So you don't know the life cycle. You need to get that
11 information for us, please.
12 And --
13 MR. AHLERSMEYER: Okay.
14 MS. HARRISON: -- the second half of that
15 question is: I need to know, is it airborne once you
16 start to move it?
17 MR. AHLERSMEYER: Radium-226?
18 MS. HARRISON: Once you start digging there and
19 the dust starts to rise.
20 MR. AHLERSMEYER: Yeah, it would be. I just
21 promised to address it with a tent. Handle it like
22 that.
23 MS. HARRISON: With the --
24 MR. AHLERSMEYER: And moisture there's --
25 there's a number of ways you can do it. Water Board has

1 a lot of rules and regulations on this one. You keep it
2 moist, and you keep storm water controls. You keep all
3 sorts of circulation type of controls going on. And the
4 tent is going to be the biggest one.

5 MS. HARRISON: Okay. You know, I really would
6 like to have all that information in writing, but I
7 actually --

8 MR. AHLERSMEYER: Okay.

9 MS. HARRISON: -- would like for you to make
10 sure that Dr. Sumchai gets it so that we can have --

11 MR. AHLERSMEYER: She will.

12 MS. HARRISON: -- somebody that we can really
13 ask something --

14 MR. AHLERSMEYER: Uh-huh. It's going to be
15 available for public -- for public comment and review
16 and everything.

17 MS. HARRISON: Well, I really would feel --
18 would like her to have --

19 MR. AHLERSMEYER: She will --

20 MS. HARRISON: -- so that I will make sure that
21 I understand it.

22 MR. AHLERSMEYER: She will definitely get it.

23 MS. HARRISON: Sorry about that.

24 MS. PENDERGRASS: Mr. Tompkins. I'm sorry.

25 Was Mr. Campbell next?

1 MR. TOMPKINS: Mr. Campbell.

2 MR. CAMPBELL: On -- It's my belief that this
3 is an emergency removal action.

4 MR. AHLERSMEYER: It's a time-critical removal
5 action.

6 MR. CAMPBELL: Okay, because I'm looking at a
7 supplemental time frame versus a six-month time frame.

8 MR. AHLERSMEYER: Six months applies to the
9 planning period to get out in the field for a
10 time-critical removal action, not the actual execution
11 of it. I believe they can go for up to almost two
12 years.

13 MR. CAMPBELL: Under the time-critical --

14 MR. AHLERSMEYER: Under the time-critical --

15 MR. CAMPBELL: -- versus --?

16 MR. AHLERSMEYER: -- six-month planning period.

17 MR. CAMPBELL: Okay, versus the emergency
18 planning?

19 MR. AHLERSMEYER: Yes.

20 MR. CAMPBELL: Okay. That was my question.

21 MS. PENDERGRASS: Okay. Let Mr. Tompkins and
22 then Dr. Sumchai.

23 MR. TOMPKINS: As a protocol for our committee,
24 I'm a little -- I wish you would have submitted your
25 document to Dr. Ahimsa, since she heads the Radiology

1 [sic] Committee before us, because we have a lot of
2 questions. I had questions to ask the doctor. She
3 hasn't had time.

4 It's like when we get -- unfortunately, we're
5 not notified in a timely manner with our subcommittees,
6 'cause we're put on a spot as we are representing the
7 community to review a decent document that was put
8 together that took you some time.

9 MR. AHLERSMEYER: Yeah.

10 MR. TOMPKINS: And like you said earlier, you
11 know, neither one of us -- I'm not the brother dipping
12 loaves and fishes. I don't know everything. And for us
13 to do justice to it, we need time to review it and to
14 turn it to our other colleagues in the field to evaluate
15 it, because I have several questions.

16 MR. AHLERSMEYER: I -- I'm not --

17 MR. TOMPKINS: I have to refer to Dr. Ahimsa as
18 a physician.

19 So before it's presented to the RAB, could it
20 be submitted, please, to the subcommittees so we have a
21 chance so that we can dialogue, discuss, and come to
22 agreement or questions rather than take up the time of
23 the Board?

24 MR. AHLERSMEYER: At this point, it's so
25 preliminary. This is -- We're just getting started on

1 it. I thought it was pretty proactive to come in here
2 and talk about what we're going to do.

3 And you are -- she's going to get it.
4 Everybody's going to get it. It's going to be available
5 for public review as well as regulatory review. And I
6 have a sneaking suspicion there's going to be a number
7 of updates as this is going on that the RAB --

8 MR. TOMPKINS: Do -- do understand, my concern
9 that when I start looking at the time line --

10 MR. AHLERSMEYER: Yeah, I'll get that time
11 line --

12 MR. TOMPKINS: -- the -- then you start about
13 execution here in September. I'm getting it in August.
14 It's like --

15 MR. AHLERSMEYER: Work plan -- work plan is --

16 THE REPORTER: Excuse me. Could you please
17 wait until he finishes his entire sentence --

18 MR. AHLERSMEYER: Okay.

19 THE REPORTER: -- before you speak. I'd really
20 appreciate that --

21 MR. AHLERSMEYER: Okay.

22 THE REPORTER: -- because I'm not getting
23 everything down.

24 MR. AHLERSMEYER: Okay.

25 THE REPORTER: Thank you.

1 MS. PENDERGRASS: Thank you.

2 Dr. Tompkins?

3 MR. TOMPKINS: Is that --? Let me -- well --

4 MS. PENDERGRASS: Okay. What I -- Where I --

5 Where it was left off was that you're asking -- you were

6 asking to be submitted in a timely manner. And what I

7 heard was that --

8 MR. ATTENDEE: Yeah.

9 MS. PENDERGRASS: -- there is a draft, and I

10 guess because it wasn't marked "Draft" or "Preliminary"

11 or "First Draft" or what have you, that people are

12 concerned that this is cast in stone. So --

13 MR. TOMPKINS: But my concern is here,

14 according to this time-line action, you're putting for

15 regulatory for approval, and yet it hasn't gone through

16 our proper internal house channels.

17 And I would ask that you would put this off for

18 approval until we have a chance -- Dr. Sumchai and her

19 subcommittee has a chance and the Risk Assessment to

20 review the material to discuss it and present our

21 findings to the Board.

22 So put this off at least a month until the RAB

23 has a chance to review it in depth in subcommittees.

24 That's the request for -- for review.

25 MR. AHLERSMEYER: I had envisioned the

1 regulatory agency review was the same period as your
2 review.

3 MR. TOMPKINS: I'm sorry.

4 MR. AHLERSMEYER: Your review would be the same
5 time as that, as the regulatory review. For the -- the
6 regulatory review, they hadn't seen a document at this
7 point. It's all internal. They would get it in
8 October -- or in late September. I'm sorry. And they
9 would have a 30- to 45-day review to get it.

10 MR. TOMPKINS: I'm asking to put it off until
11 October because we haven't had a chance to look at it
12 and review it.

13 MS. PENDERGRASS: Okay.

14 MR. TOMPKINS: What we disagree --

15 MS. PENDERGRASS: Doc -- Dr. Tompkins, I'm
16 going to interpret here --

17 MR. TOMPKINS: Okay.

18 MS. PENDERGRASS: -- because we are talking
19 French --

20 MR. TOMPKINS: I'm asking --

21 MS. PENDERGRASS: -- and German --

22 MR. TOMPKINS: -- the full Board --

23 MS. PENDERGRASS: -- at the same time.

24 MR. TOMPKINS: -- to be respectful.

25 MS. PENDERGRASS: He's saying that -- that they

1 haven't submitted the document to the regulatory
2 agencies, that they are not planning to submit it until
3 September.

4 There's plenty of time between September and
5 October -- is that what I hear you saying? -- to provide
6 input to you?

7 MR. AHLERSMEYER: Yes.

8 MS. PENDERGRASS: Okay.

9 So there's plenty of time between now and
10 October for input to go to the Navy. This time line
11 does not have submit and complete times.

12 MR. TOMPKINS: My -- For -- for clarity, in
13 other words, your -- this is incorrect, then, in
14 September? You won't submit this until October?

15 MS. PENDERGRASS: No. He's saying he's going
16 to submit it to them by September, but it's not --

17 MR. TOMPKINS: And I'm objecting to that being
18 submitted because we have not as a body and as a
19 subcommittee as a support --

20 MS. PENDERGRASS: All right.

21 MR. TOMPKINS: -- had a chance to review it.

22 Therefore, I'm respectfully requesting that it
23 be placed off one month until the subcommittees have an
24 opportunity to review it.

25 We may disagree on the other -- I may

1 100 percent agree with you. At this time, I cannot make
2 an intelligent decision, nor the members of the
3 committee had a chance to review the document.

4 I'm not questioning your integrity or your
5 scholarship, is that we haven't had a chance to review
6 or look at it.

7 I'm asking for a deferral until September,
8 because we meet in September. That's no time. Do you
9 understand what I'm saying to the time line what I'm
10 asking?

11 MR. AHLERSMEYER: Yeah, I fully understand what
12 you're saying. But --

13 MR. TOMPKINS: Okay.

14 MR. AHLERSMEYER: -- what I -- I'd have to look
15 into the laws of the RAB. I never thought -- I'm --
16 No way am I precluding the RAB by submitting it to the
17 agency. That's how we do all work is it goes for public
18 review and regulatory agency review.

19 MR. BROOKS: So maybe I can clarify it a little
20 bit. The work plan gets submitted to everyone in
21 September, and you have 30 to 45 days to review. So
22 that -- it's -- the work plan is not yet complete. It's
23 still in internal review.

24 But we thought we would be proactive and really
25 just present the idea of the removal action tonight with

1 the thinking that we can get the work plan finalized by
2 September, submit that to the public, the RAB, the
3 regulatory agencies for it; and then they have the 30-
4 to 45-day review period in which they can make their
5 comments.

6 MR. TOMPKINS: But I'm saying if I'm an

7 advisory board member and the advisory means advice
8 before action's taken, dealing with Webster's
9 dictionary, then that's not advice if you come to me
10 after the fact and say, "Check it out." So it's
11 advisory come with me before it's submitted --

12 MS. PENDERGRASS: Ray?

13 MR. TOMPKINS: -- not a --

14 MS. PENDERGRASS: Let's -- let's just -- let's
15 just -- I -- I think there's some common ground here,
16 though. It sounds like, though, you need some time;
17 then the Risk Review Committee does not meet until
18 September --

19 MR. TOMPKINS: Right.

20 MS. PENDERGRASS: -- to go over this plan.

21 MR. BROWN: Right.

22 MS. PENDERGRASS: But --

23 MR. TOMPKINS: And the radiology [sic]
24 committee, Dr. Sumchai.

25 MS. PENDERGRASS: The radiology committee will

1 not meet until September to even start the process of
2 review. I understand.

3 So if you're not doing that until September but
4 the regulatory agencies won't even have an opportunity
5 to start review until September, then you're all
6 reviewing at the same time.

7 MR. TOMPKINS: But if we don't agree with this,
8 why waste --? You know, in other words, we have some
9 very diametrically opposing perspectives on this --

10 MS. PENDERGRASS: I understand that.

11 MR. TOMPKINS: -- that then would be arguing in
12 the review. Why argue? Why not take one month, sit
13 down, come together, and put a united front and come to
14 agreement on what is here?

15 I'm not saying we're not going to agree; but
16 it's just protocol how we can move together in a more
17 orderly fashion, in my opinion.

18 MS. PENDERGRASS: Have you --?

19 MR. TOMPKINS: Other members may --

20 MS. PENDERGRASS: I think we asked the
21 gentlemen --

22 MR. TOMPKINS: -- stress theirs.

23 MS. PENDERGRASS: -- around the table at
24 this --

25 MR. TOMPKINS: It's just my opinion --

1 MS. PENDERGRASS: -- point.

2 MR. TOMPKINS: -- as a member of this.

3 MS. PENDERGRASS: I think we understand what's
4 on the table at this point. It's just a matter of
5 whether or not that -- that that's going to be moved in
6 that direction. So I don't know how to move forward
7 with that.

8 Doctor --

9 MS. SUMCHAI: Let me first say that I want to
10 commend the Navy for the ambitiousness going forward on
11 this Parcel E removal action. You know, basically, it's
12 the right thing to do.

13 I appreciate everyone coming to my defense
14 about the need to have this information routed through
15 the Radiological Subcommittee. There is no reason why
16 this information could not have been presented at last
17 night's meeting by the four representatives from the
18 Navy who attended.

19 And it does put me, I feel, in a position of,
20 you know, vulnerability and embarrassment to have to
21 extemporaneously and often, you know, shoot from the hip
22 in response to information that -- you know, that --
23 that's very critical.

24 And I also feel without being overly paranoid
25 that at times you withhold information from me because

1 you know I will review it and print it in the BAY VIEW
2 newspaper a week before the RAB meeting. So yeah.

3 But there -- there's some -- some critical
4 questions I want to ask, and then I will shut up.

5 One, what -- what factored in the arbitrary
6 decision to kick a cleanup goal for radium-226 at
7 2 picocuries per gram without a knowledge of the
8 half-life of ra- -- radium-226? That's the first
9 question.

10 Second, I have --

11 MS. PENDERGRASS: Let -- let's answer one at a
12 time.

13 MS. SUMCHAI: Okay.

14 MR. AHLERSMEYER: Okay. Cleanup goal.
15 Typically in the state of California, 5 picocuries per
16 gram is used.

17 Months ago when we started thinking about doing
18 this, I started speaking with EPA's -- who would be in
19 the -- the main regulatory agency on this -- this type
20 of site and started talking with their RAD -- their --
21 the RAD person over there.

22 He indicated that background levels of
23 radium-226 in the San Francisco area generally range
24 from 1.6 up towards 5. And on sites that he regulates,
25 he thought 2 -- Judging from sites that he regulates,

1 2 picocuries per gram is a very, very conservative
2 cleanup goal.

3 MS. SUMCHAI: Okay. Well, the regulators, of
4 course, can respond to that.

5 But it isn't an issue of what is reasonable or
6 conservative. It is the health base goal, you know,
7 that needs to be set; and -- and, of course, the
8 regulators will respond to that.

9 The other issue is the arbitrary decision to
10 scan to a depth of 10 feet. Your radiological
11 investigation 1993 [reading]: "27 test pits 15 feet
12 deep. Subsurface distribution of devices confined to an
13 area measuring 450 feet times 400 feet. 90 percent of
14 devices in the upper 6.5 feet" and that you believe that
15 none was below the -- the bay mud.

16 So, I mean, conceivably if you go to 10 feet
17 and then there's another 5 feet until you get to bay
18 mud, potentially these 6,000 devices --

19 MS. LUTTON: 6,000 pounds.

20 MS. SUMCHAI: -- 6,000 pounds of devices could,
21 you know, extend beyond that -- that depth.

22 MR. AHLERSMEYER: Can I respond?

23 MS. SUMCHAI: Yup. Your turn.

24 MR. AHLERSMEYER: I'm afraid here.

25 All right. One thing that was not in that

1 presentation was that they found nothing below 9 feet in
2 all those test pits.

3 MS. SUMCHAI: Okay.

4 MR. AHLERSMEYER: Second part of the question,
5 which was -- can you reiterate it? There's two parts, I
6 thought.

7 MS. PENDERGRASS: You answered that, because
8 she -- her second part of it was that how did you
9 know --

10 MR. AHLERSMEYER: "How did you know --" Okay.
11 They --

12 MS. PENDERGRASS: -- that only -- why did you
13 only go that far.

14 MR. AHLERSMEYER: They found nothing below
15 9 feet in that investigation. They went to 15, but they
16 found nothing below 9; and 90 percent of it were above
17 6 1/2 feet.

18 MS. SUMCHAI: But you scanned at 9 feet, and
19 if -- if --

20 MR. AHLERSMEYER: We are going to 10 feet no
21 matter what.

22 MS. SUMCHAI: But if you got to 10 feet and you
23 scanned and it was above the cleanup goal or remediation
24 goal, you would go below 10 feet? Of course you would.

25 MR. AHLERSMEYER: If we found devices, we would

1 go.

2 MS. SUMCHAI: Is there radon gas monitoring?

3 MR. AHLERSMEYER: Radon gas monitoring was done
4 as part of that, as part of that '91 -- the Phase I part
5 of it; and none of the canisters indicated radon.

6 MS. SUMCHAI: Okay. Well, we -- we would
7 definitely review this at the next meeting, and I will
8 probably publish an article in the SF BAY VIEW.

9 MR. AHLERSMEYER: Can I say something too? In
10 no way was -- is this meant to preclude. We were trying
11 to be completely proactive in coming --

12 MS. SUMCHAI: Sure.

13 MR. AHLERSMEYER: -- out with these ideas.
14 These are all -- It's all adjustable at this point.

15 MR. TOMPKINS: No, don't take it per- -- It's
16 past history --

17 MS. PENDERGRASS: Ryan --

18 MR. TOMPKINS: -- that you inherit.

19 MS. PENDERGRASS: Yeah. Just --

20 MR. TOMPKINS: It's not personal.

21 MS. PENDERGRASS: -- a little bit.

22 MR. AHLERSMEYER: Okay.

23 MS. PENDERGRASS: From what I'm hearing here,
24 it sounds like you're in the hot seat. But you've met
25 with these folks just this week, right?

1 MS. SUMCHAI: Last night.

2 MS. PENDERGRASS: Last night. And you didn't
3 have -- and knew that you were going to make this
4 presentation tonight. And I think that the question
5 that kind of comes about is: Why didn't you share that
6 information while they were all present?

7 And so I -- again, I don't have to know your
8 reason, and you don't have to give it. But that's kind
9 of what's coming here at the table.

10 MR. AHLERSMEYER: Okay.

11 MS. PENDERGRASS: Yes, sir. Yes, sir.

12 MR. DACUS: Well, my question is: I see you
13 going to go 10 feet depth, 10 feet depth; and you going
14 to backfill 7 feet with the sod that you excavate; is
15 that correct?

16 MR. AHLERSMEYER: Mm-hmm.

17 MR. DACUS: And you going to use 3 feet of sod,
18 imported sod. With this imported sod, would it be
19 tested? Where are you going to receive this imported
20 sod? Do you know?

21 MR. AHLERSMEYER: The soil will be certified
22 clean soil. I expect to use the BART soil up there,
23 which has been thoroughly tested and analyzed, and we
24 have records for all of that. It's been sampled.

25 MS. PENDERGRASS: All right. Are there any

1 more questions?

2 MR. MANUEL: Yeah, one more. You know, I -- I
3 guess this is kind of directed to, well, the entire
4 group as well as --

5 I don't need that [indicating microphone]
6 either.

7 It's kind of directed to the entire group but
8 specifically Mr. Tompkins. And the only thing that I
9 would caution us as a group about considering is that
10 there's some time-sensitive issues as to why things
11 should move very expeditiously. I'm not saying that
12 people shouldn't have an opportunity to review.

13 And I think 30 to 45 days is -- is an ample
14 amount of time to review it before any hard decisions
15 are made, because a lot of money that's going to be used
16 for these cleanups, some of this stuff is pretty
17 time-sensitive as well.

18 And we have some other issues with the
19 economics of the basic environment and people's health
20 concern, and people on the base have concerns. And I
21 don't really think it's a good idea to slow the process
22 down at all other than to make sure people are on board
23 and understand, like, what -- the question was raised
24 earlier: Well, are we going to have issues that we need
25 to be getting out of there for?

1 I mean, I think people need to have reasonable
2 notice, and I think federal law requires -- and the
3 state law as well -- that you have to be noticed as the
4 things are being done to affect you.

5 But I don't think we should really allow
6 anybody, let alone encourage them, to slow down the
7 cleaning up the mess that people are having concerns
8 about in terms of their health.

9 And I just -- I just suggest that we keep in
10 mind, there are some time-sensitive issues, and we just
11 make sure they keep going.

12 MS. PENDERGRASS: Mr. Brown?

13 MR. BROWN: I wanted to ask a follow-up on what
14 Charles is talking about pertaining to the 10 feet. How
15 about if the radium dials are -- more radium dials are
16 at 11, 12, 13 feet and you put -- you backfill in and
17 the soil, won't that become co- -- contaminated also?
18 Because you only going 10 feet down.

19 MR. AHLERSMEYER: The soil that is backfilled
20 on top of the --?

21 MR. BROWN: Yeah.

22 MR. AHLERSMEYER: You talking about that
23 becoming recontaminated?

24 MR. BROWN: Right.

25 MR. BROOKS: I think Ryan answered the question

1 with Dr. Sumchai that if we do find more devices
2 deeper . . . , we just don't expect to find them down
3 that deep. If we did the investigation and we saw them
4 as deep as 9 feet -- we looked as deep as 15. Didn't
5 see anything.

6 So we're saying to our contractor, give me an
7 estimate for removing all these dials and knowing that
8 you're going to have to go down to 10 feet. There can
9 always be change orders.

10 MR. BROWN: Okay.

11 MS. PENDERGRASS: Thank you. Mr. Kao?

12 MR. KAO: I just want to bring one issue up.
13 Hopefully don't confuse it too much.

14 We were up -- We're in discussions with the
15 Navy right now. But I wanted you to be aware of this --
16 this issue, which is: We are doing a radiological
17 removal action. In the same area there are also
18 chemical contamination.

19 So my concern is: When they lift the soil out
20 and take the radiological stuff out and then put the
21 soil back in, that is -- the chemicals contamination got
22 mixed up. Once you took it out, it goes through
23 conveyor belt or whatever. And once it mixed up and put
24 it back in, you won't be able to find it anymore.

25 So my concern is that they need to characterize

1 the chemical contamination and segregate that and do a
2 chemical cleanup before you do a radiological cleanup.

3 MS. PENDERGRASS: And so that'll be part of
4 your recommendation of review of land use --

5 MR. KAO: Yes, it would be. We're still in
6 co- --

7 MS. PENDERGRASS: -- is that correct?

8 MR. KAO: Yeah, we are still in discussion with
9 the committee.

10 MS. PENDERGRASS: All right. Okay. Okay.

11 We need to cap this conversation. So is there
12 anything that you all are adding that's different that
13 hasn't already been asked?

14 MR. MANUEL: I have a -- one real brief
15 question.

16 MS. PENDERGRASS: Ms. Oliva is next and then --

17 MR. MANUEL: Okay.

18 MS. OLIVA: According to certain redevelopment
19 plans, when someone is interested in putting in
20 electrical lines and new sewers, infrastructures usually
21 go down 30 feet?

22 MR. TOMPKINS: No. Fif- -- Thirteen feet.

23 MS. OLIVA: Thirteen for new --?

24 MR. TOMPKINS: Thirteen for sewer lines, point
25 of information.

1 MS. OLIVA: I guess Ray answered that. So
2 would you --? I mean, you'd go down an extra 3 feet?
3 MR. AHLERSMEYER: If we find devices at
4 10 feet, we will keep taking them out.
5 MS. OLIVA: What about dealing with the
6 chemical nature of the soil?
7 MR. AHLERSMEYER: That's a big question.
8 Everybody here knows the 10 feet rule at Hunters Point
9 and how risk works and how risk is calculated, and it's
10 10 feet. That's just how -- That's how the numbers are
11 crunched. We talked about the 13 feet before too and --
12 MS. PENDERGRASS: Okay.
13 MR. AHLERSMEYER: -- that's all. I mean, I --
14 I can't really speak to it. It's -- We're talking
15 matters of policy and --
16 MR. BROOKS: Well --
17 MR. AHLERSMEYER: -- risk and --
18 MR. BROOKS: -- I think I can speak to the
19 sewer line issue is that if you -- there's not going to
20 be a sewer over near the -- at least there's none
21 planned over near the shoreline there. It's an open --
22 It's -- it's designated for open space. We do have some
23 storm drains that go out into the bay, but they are not
24 down that deep.
25 And what we want to do is -- to make our life

1 easier is deal with the radiological contamination first
2 and then, second, go back in and deal with the chemical
3 contamination. The -- It's just -- It's -- it's much
4 more difficult. There's a lot more precautions that
5 have to be put into place to deal with the radiological
6 contamination, and so we want to do that first.

7 MS. OLIVA: But a regulator is saying that it
8 should be the other way around.

9 MR. BROOKS: Yeah.

10 MS. PENDERGRASS: Well, the plan has to come to
11 full review; and -- and a part of that plan, I'm sure,
12 will be added in.

13 Mr. Manuel and then Mr. Mason.

14 MR. MANUEL: Okay. Having been in the
15 hazardous waste disposal business myself before, my
16 understanding of CERCLA law is that if you handle that
17 soil, as this gentleman suggested, and you go put back
18 contaminated soil with chemical compound beyond the
19 threshold limits, that would be a new release under
20 CERCLA.

21 So you would be -- you would be then releasing
22 as if it was for the first time hazardous contaminants
23 into the soil.

24 If you ha- -- If you take it out to get this
25 one element out and you go put it back and contaminate

1 it, that's a new release, you know, unless you
2 understand something different.

3 MR. AHLERSMEYER: The way it's set up right now
4 is that it's already identified it's a restoration site.
5 So by reworking soil in the area, in no way we're
6 looking to get any release of that as being an IR site
7 or anything like that.

8 They -- We are fully aware that we're dealing
9 with this as a whole.

10 MR. MANUEL: But you wouldn't put --? I mean,
11 I -- I wouldn't think you would put back contaminated
12 soil. Is that what you're saying? You would not do
13 that or --?

14 MR. AHLERSMEYER: No, that's not what I'm
15 saying.

16 MR. MANUEL: You might put contaminated soil
17 back into the ground?

18 MR. AHLERSMEYER: Yes.

19 MS. PENDERGRASS: Okay.

20 MR. BROOKS: Work -- Kind of like the work in
21 progress. Remove the radiological contamination under
22 the rules and regulations that we have to deal with, and
23 then go back and address the chemical contamination.
24 It's a work in progress.

25 MR. MANUEL: Wouldn't threshold limits be put

1 back in? That's illegal.

2 MR. AHLERSMEYER: I -- I can explain it. I can
3 at least outline here too.

4 We want to deal with I- -- We are talking
5 about IR-02. And IR-02 is three different areas, and we
6 want to deal with IR-02 as a whole.

7 We cannot deal with IR-02 as a whole right now.
8 We -- 'cause we are sitting with one little area in the
9 middle of it with radium dials buried in it, and it's --
10 to deal with it as a whole with the radium dials in it
11 would be a -- it couldn't happen. It's near
12 impossibility.

13 So if we get these dials out of there first,
14 it's a first step in moving forward with IR-02 and
15 Parcel E in general.

16 MS. PENDERGRASS: Okay. Mr. Mason and then
17 Dr. Sumchai and then Ms. Pierce. I -- I'm sorry.
18 Doctor -- Doc- -- Ms. Harrison.

19 MR. MASON: That -- that was one of my biggest
20 concerns also, because it seems that throughout the San
21 Francisco Mission Bay project, we're going through that
22 same process of, you know, putting contaminated soil
23 back into the ground and covering it up with clean, and
24 it just doesn't make any sense to me.

25 You know, I -- I kind of agree with the doctor

1 over there about, you know, regulating, you know, going
2 through it and then doing it again, putting the whole
3 process over again.

4 Another one of my biggest concerns is that, you
5 know, the BART soil that's already out there, that soil
6 was moved in through a -- through a company from the
7 BART project. And from what I understand, that there
8 was a contamination in that -- in that soil at one time.

9 MS. SUMCHAI: Yes. Arsenic.

10 MR. MASON: I'm wondering if that soil being
11 out there for approximately -- what, two, maybe three
12 years now has the contamination from the -- the
13 Shipyard, you know, drained off into some of that soil,
14 because it does rain out there, you know, and water runs
15 in -- in all directions. You know, that's my concern.

16 Have you tested that soil out there? Have you
17 tested, you know, most of it to go back into your --
18 your -- your fill?

19 MR. AHLERSMEYER: The soil has been tested, but
20 what I can tell you is that as it was put back into the
21 hole, it would be more -- it would be tested more --

22 MS. PENDERGRASS: Okay.

23 MR. AHLERSMEYER: -- to assure that it's free
24 of contamination.

25 MS. PENDERGRASS: Ms. Harrison?

1 MS. HARRISON: I know that you're familiar with
2 the fact that -- that on Parcel E, they put all this
3 dirt, clay, plastic, anything, cement. They seem to
4 think that that's a cure-all for everything.

5 My problem is: Around the edges of that -- and
6 it's right at the edge of that that you're going to be
7 digging. How sure are you that something that got
8 squashed, mashed and -- you know, water was spread out,
9 okay. Gas will expand. I don't know about the rest of
10 that stuff. I'm just going to assume that it will find
11 a way out toward the edges as well.

12 So, you know, my fear is that just what he
13 said, you're going to move this soil. It's going to
14 have something else in it; but because it's not what
15 you're looking for, you're going to put it back.

16 The question actually is for the Navy. How
17 cost effective is that to remove it, put it back and
18 then have to send somebody else in there to remove it
19 again?

20 And I ask that question because the city has a
21 problem with opening up a hole, sending PG&E down, and
22 then closing it up, then sending the water department
23 down to close it back up and then sending somebody else
24 down for God knows what.

25 I mean, how cost effective is that? And

1 \$5 million is not chump change.

2 MR. AHLERSMEYER: No, it's not.

3 MS. HARRISON: So I guess my question is
4 \$5 million is not chump change. How cost effective is
5 that to pay somebody \$5 million to go and allow them to
6 put pack contamination soil?

7 MR. AHLERSMEYER: Okay.

8 MS. PENDERGRASS: All right. Be- -- before you
9 respond?

10 MS. PIERCE: Yes. Mine is -- is related to
11 that. I -- I would like for you to give us an analysis
12 of the cost.

13 I basically was going to ask the same question.
14 And the bottom line is, we all know that it's cheaper if
15 you handle something once.

16 And the DoD thinks that this is their money,
17 but all of us know it's our money. And we really want
18 to be sure that you're using it the best way possible.
19 And if you're going to dig something out and handle it,
20 then you need to show us that not only is it
21 scientifically better, but that is also fis- -- fiscally
22 responsible to handle it twice.

23 MR. MANUEL: Hear, hear.

24 MS. PIERCE: So we need to have as part of that
25 report the actual cost and an analysis of -- of what the

1 cost is going to be to dig it out a second time, then
2 treat it for the chemicals.

3 MS. ATTENDEE: Yeah.

4 MS. PENDERGRASS: Can I stop our discussion at
5 this point? Because we have leveled a number of
6 questions regarding this time line.

7 And as we have done in the past, this goes to
8 the committee, and I would suggest that even those who
9 are not on the committee forward your questions to
10 Dr. Sumchai and those -- those concerns be articulated
11 in some kind of written format back so that they become
12 part of the record as a public comment. So -- so that
13 needs to happen. I mean, that -- that's the process.

14 So I -- I think everybody's kind of put those
15 things out on the table. We need to make sure that
16 they're concretized into writing and forward it on so
17 that they get captured.

18 We are going to move on because we are actually
19 out of time tonight, and can I just make a couple of
20 comments? One is that there's a report -- the Monthly
21 Progress Report by the Navy is on the table as well as
22 the Community Involvement Plan report is on the back
23 table so that you can read that.

24 There's only two written and printed
25 subcommittee reports, the Technological and Risk Review

1 Subcommittee report and the Bylaws report.

2 So we have something that has to be done
3 tonight in terms of the -- the bylaws -- Membership &
4 Bylaws Committee report has to be done tonight before we
5 close.

6 But other than that, is there anything else
7 that cannot be written and distributed as far as the
8 report, or is there some action from any of the other
9 subcommittees? Is there any action items that need to
10 be relayed from any other subcommittees? Because at
11 this --

12 Maurice?

13 MR. CAMPBELL: Yeah. Some --

14 MS. PENDERGRASS: Okay, but -- so before we --
15 if you do, then you'll -- you can go after the Bylaws --
16 Membership & Bylaws Committee --

17 MR. CAMPBELL: Okay.

18 MS. PENDERGRASS: -- so that you can move back.
19 Then that way we can adjourn on time and at least not
20 too late.

21 So Ms. Rines.

22 MS. RINES: Okay. The -- For the bylaws,
23 basically what that la- -- the meeting in August was:
24 We were going to have the elections, which we did.
25 Basically, we thought we were going to have more people

1 show up, and they didn't, but we -- Keith was reelected.
2 I'm his interim because he's having surgery and he'll be
3 out. So I will be doing the September meeting.

4 The other big thing is that we wanted to bring
5 a motion to the RAB that we want to expand the
6 Membership & Bylaws Committee to be the Membership,
7 Bylaws & Community Outreach Subcommittee.

8 Keith Forman -- If you had read the notes,
9 Keith Forman wanted to include how -- when they're doing
10 the community outreach to bounce it off of us, off the
11 committee and everybody there, on how to get the
12 information out to the community. So that way hopefully
13 that would bring more people to the bylaws and
14 subcommittee [sic] and community outreach meeting on a
15 monthly basis, okay?

16 MS. PENDERGRASS: So is there a motion for
17 that?

18 MS. PIERCE: Some of --

19 MS. PENDERGRASS: Well, wait a minute, because
20 that's -- just a point of clarification, because that is
21 a bylaws change, and you've all changed the bylaws can
22 only happen once a year. This would be tabled till that
23 time. It could not be changed at this point.

24 MS. RINES: Okay.

25 MS. PENDERGRASS: I'm just telling you --

1 MS. RINES: No, I know. I know.

2 MS. PENDERGRASS: -- what you all agreed to.

3 MS. RINES: I was going to get to that.

4 And basically what we wanted to do, since

5 nobody was real -- I mean, there was a limited number of

6 people that were at that meeting.

7 Next month's meeting is when we are going to

8 sit here -- sit there and go through this again if

9 anyone has any discussion about how -- whether or not

10 there should or should not be done.

11 So please come to the September 9th bylaws and

12 subcommittee meeting 'cause there we will have it with

13 the agenda with the community outreach part of it.

14 Keith Forman will be there.

15 So we can get everybody's inpoint [sic] and

16 that -- input; and at that point, that is when we will

17 make the change of any other items that they want to

18 have changed in the bylaws have to be done in September

19 at that meeting. Otherwise, that's it. That's the one

20 time.

21 MS. PENDERGRASS: Well, actually, the

22 recommendations are formulated at that meeting --

23 MS. RINES: Correct.

24 MS. PENDERGRASS: -- and are brought forth to

25 the full RAB.

1 MS. RINES: Full RAB.

2 MS. PENDERGRASS: Now, at the full RAB meeting
3 in September, anything else can come at that point. I
4 mean, it just -- point of clarification.

5 So you don't -- you don't have any motion on
6 that at this point; is that correct? Just that one
7 announcement? Okay.

8 Anything else that needed -- Ms. --?

9 MS. RINES: I'm going to make it 6:15 to
10 8 o'clock, since I'm running -- I got to get off of work
11 and I get off at 6:00 -- at 5:30, and I'm always late
12 anyway. So make it 6:00 -- 6:15 to 8 p.m. at the
13 library on Third Street.

14 MS. LUTTON: You know, there's a conflict with
15 the important peaker meeting.

16 MR. BROWN: On the 9th?

17 MS. RAB MEMBER: Yes, on the 9th.

18 MS. RINES: Oh. Okay.

19 MS. PIERCE: We have to be there.

20 MS. HARRISON: It's very important. We have to
21 be there.

22 MS. RINES: What --? And it's exactly the same
23 time, 6:15?

24 MS. HARRISON: 6:30.

25 MS. PIERCE: 6:30. The public meeting on the

1 sighting of the peaker plants.

2 MS. RAB MEMBER: Oh.

3 MS. PENDERGRASS: All right. So did you want
4 to figure out another date and submit that so that --?
5 'Cause Joni's been doing a really good job of sending
6 out a list of when all the meetings are to everybody.
7 So we need to go off line, then, to --

8 MS. RINES: Okay. I'm going to have to see if
9 I can reschedule it. If not, I mean, basically e-mail
10 me. If I can't reschedule, e-mail me with anything that
11 you want to have changed of the bylaws or whatever type
12 of issue.

13 MS. PENDERGRASS: Okay. So at this point,
14 we're still having the meeting on that date unless it's
15 otherwise changed. So look for your e-mail for changes.

16 Mr. Campbell, can you be brief?

17 MR. CAMPBELL: Yes. How brief would you like?

18 MS. PENDERGRASS: Oh, I'm sorry. I'm sorry.
19 I'm rushing you all.

20 MS. RINES: This one is a --

21 MR. CAMPBELL: Okay.

22 MS. RINES: -- motion to the RAB is that we
23 want to have a language of the -- of the bylaws actually
24 changed to reflect that renewing members are not
25 required to attend the Membership & Bylaws Subcommittee

1 meeting but that new applicants are required to attend
2 prior to going before the full RAB for a vote. We want
3 to put that in the bylaws. It's reflected on the
4 application but not in the bylaws.

5 So that is something -- that was what we wanted
6 to bring up and that basically this is all what we are
7 asking at this point now is to have that reflected in
8 the bylaws.

9 MS. PENDERGRASS: Okay. So everybody has a
10 chance to think about that before the next meeting.

11 MS. RINES: Right.

12 MS. PENDERGRASS: That makes sense.

13 MS. RINES: And -- and that's basically it.

14 And just also again, with the attendance
15 policies, four times. There are no excused absences,
16 okay. If you miss four, you are off the RAB. Okay?

17 And we have people that are waiting. So
18 basically, if you get bumped off 'cause you did not
19 show, you'll need to refill out an application and start
20 over. So -- and there are -- basically, there are no
21 excuses.

22 And at this point now, we have lost one RAB
23 member. Dorothy Peterson has not attended four
24 meetings. Therefore, she is no longer on the RAB. So
25 we now have a spot. We have tried numerous times. It's

1 in the notes to contact her and get her in, and it's
2 just -- and that's it. Okay. September 9th.

3 MS. PENDERGRASS: Yes, sir.

4 MR. CAMPBELL: How brief would you like it?

5 MR. BROWN: Brief.

6 MR. TOMPKINS: Brief.

7 MS. PIERCE: Real brief.

8 MR. CAMPBELL: Joni has some reports. You're
9 going to have to get her e-mail address. It's
10 approximately 30 pages each.

11 We had a very large subcommittee meeting --

12 MR. MASON: I can't hear you.

13 MR. CAMPBELL: -- of about 30 people, the
14 primes, the 8-As, et cetera.

15 This is a breakdown of all the financials, all
16 the people that were hired, et cetera. This is how the
17 contracting -- how to do contracting --

18 MS. PENDERGRASS: Okay.

19 MR. CAMPBELL: -- for the group and some
20 benefits of hiring low-income and minority people.

21 Joni, can you give out the contact information?

22 MS. JORGENSEN-RISK: Sure.

23 MR. CAMPBELL: Yeah, please.

24 MS. JORGENSEN-RISK: It's jrisk@itsi.com. So
25 just let me know if you want a copy, and I'll forward it

1 to you. It's pdf.

2 MS. PENDERGRASS: I -- I -- So do you --?

3 So what are you asking? Do you want all the

4 RAB members to have that?

5 MR. CAMPBELL: No.

6 MS. PENDERGRASS: Or do you --

7 MR. CAMPBELL: No.

8 MS. PENDERGRASS: -- want --

9 MR. CAMPBELL: No.

10 MS. PENDERGRASS: -- just know that that's

11 available?

12 MR. CAMPBELL: That's available.

13 MS. PENDERGRASS: Okay.

14 MR. CAMPBELL: Some people are interested in

15 the economics. Some people are not.

16 MS. PENDERGRASS: Okay. I just want to make

17 sure I understood.

18 MR. CAMPBELL: Ask anybody in the audience that

19 might be interested in contracting --

20 MS. PENDERGRASS: Very good.

21 MR. CAMPBELL: -- et cetera. Thank you.

22 MR. ATTENDEE: Your next meeting?

23 MS. PENDERGRASS: All right. Is there any --?

24 MR. CAMPBELL: On the 9th.

25 MS. PENDERGRASS: Okay.

1 MR. CAMPBELL: 2:30.

2 MS. PENDERGRASS: 2:30 on the 9th?

3 MR. CAMPBELL: That's correct. That's a
4 Tuesday.

5 MR. MASON: Okay. Why --?

6 MR. CAMPBELL: Over --

7 MS. PENDERGRASS: Excuse me.

8 MR. MASON: Why do we have our meeting at 2:30?

9 MR. CAMPBELL: Pardon me?

10 MR. MASON: Why do we have the Economic
11 meetings at 2:30?

12 MR. BROWN: Okay. Why don't you guys discuss
13 that . . . ?

14 MR. TOMPKINS: That would be --

15 MS. PENDERGRASS: Yeah.

16 MR. MASON: I was just asking for the RAB --
17 for the people that are attending the RAB, why are we
18 having our meetings at 2:30?

19 MR. CAMPBELL: Why are we having our
20 meetings --?

21 MS. PIERCE: 6:30 --

22 MR. CAMPBELL: Because --

23 MS. PIERCE: -- is the peakier meeting.

24 MR. BROWN: Right.

25 MR. CAMPBELL: Number one, most of the people

1 that are prime contractors that are 8-As that are going
2 to come, it's within their working hours. They don't
3 get paid for overtime to attend these meetings. It's
4 also inconvenient -- in- -- inconvenient --
5 inconvenient --

6 MR. BROWN: Inconvenient.

7 MS. PENDERGRASS: All right. All right. Did
8 that satisfy you, Mr. Mason?

9 MR. MASON: Case in point, the last economic --

10 MS. PENDERGRASS: Are there any other meetings
11 that we haven't gotten times for?

12 MS. SUMCHAI: I'm just going to take one
13 minute. Mr. Gerald Lee Vincent, who's the FUDS program
14 manager for the Army Corps of Engineers, was very nice
15 i- -- in coming down for -- for last night's meeting.
16 It took several months to get him here. So I appreciate
17 that he was able to attend.

18 And I will give you a report on the discussion.
19 There were a lot of questions that couldn't be answered
20 because they are awaiting the draft final HRA.

21 But I did want to bring it to your attention
22 that the expansion of the radiological investigations
23 and operations at Hunters Point off base is significant
24 in that of the new sites, the D series of buildings in
25 Mariner's Village and the Building 400 series, Islais

1 Creek, these are FUDS. These constitute formally
2 utilized defense sites. So that everybody understands.

3 The other thing that was pointed out that was
4 kind of an epiphany for me is that the cleanup funding
5 for the installation restoration program that BRAC funds
6 and the FUDS is -- is still basically coming out of the
7 same funding pot. It's going to different, you know,
8 areas of the military, you know, remediation, but it's
9 coming from the same fund. Mr. Vincent pointed that
10 out.

11 MS. PENDERGRASS: And your next meeting?

12 MS. SUMCHAI: Oh. It's going to be on
13 September the 4th, 6 to 8 p.m., at the Green House. And
14 I understand that Laurie Lowman will be present to give
15 us a update on the HRA.

16 The HRA is slated for release November 4th now,
17 and we also have some questions that had been generated
18 by the IR-02 removal action that will have to be
19 addressed.

20 MS. LUTTON: Did you say November 4th?

21 MS. SUMCHAI: Yes.

22 MS. PENDERGRASS: Okay. Is there anything else
23 that's pressing before we --?

24 Yes, ma'am.

25 MS. LOIZOS: Well, everybody else gets a chance

1 to talk. I just want to say really quickly that it's
2 kind of in response to a question that Olivia asked --

3 MR. RAB MEMBER: Georgia.

4 MS. LOIZOS: Georgia, but looks like she's
5 gone, that we did talk about the breach in the land
6 fair -- landfill gas control system at our subcommittee
7 meeting on Tuesday night. I tried to summarize
8 everything in the mee- -- minutes. You can read that,
9 but I'm going to make a request that the Navy bring that
10 subject forward to the full RAB sometime in the near
11 future as that progresses.

12 And that's basically it.

13 MS. LUTTON: The next meeting?

14 MS. PENDERGRASS: Did you have a motion to do
15 something or --?

16 MR. TOMPKINS: Yes.

17 MS. RINES: Say it again.

18 MS. LOIZOS: Request the Navy to bring that --
19 to have that appended as an agenda item at a future RAB
20 meeting.

21 MR. TOMPKINS: What?

22 MS. PENDERGRASS: Yeah, you need to pick a RAB
23 meeting and make sure it happens.

24 MS. LOIZOS: Sure. The next meeting.

25 MS. PENDERGRASS: October?

1 MS. PIERCE: September.

2 MR. TOMPKINS: September.

3 MS. PENDERGRASS: September?

4 MS. LUTTON: September RAB meeting.

5 MR. TOMPKINS: September.

6 MS. PENDERGRASS: Does that make sense to you?

7 MS. LOIZOS: I'd be will- -- I'd be willing to
8 discuss it with him, you know, depending on what other
9 things are coming up.

10 MS. PENDERGRASS: Okay. All right.

11 MS. SUMCHAI: Let me say quickly that the Navy
12 intends to publish a landfill gas close-out report here,
13 and I had a lot of questions about you guys closing out
14 the -- the landfill gas removal action if there are
15 breaches in the system. We -- we have published that
16 and distributed that as part of the monthly, you know,
17 progress report.

18 So if you have a time line for publishing that
19 close-out report, then I think it is a time-constrained
20 matter.

21 MS. LOIZOS: Thank you.

22 MS. PENDERGRASS: All right. Thank you for
23 that.

24 Is there -- is there anything else before we
25 close? I know we have -- we kind of had a lot of

1 conversation tonight, and we are going long tonight.
2 But is there anything that's just really important that
3 the RAB needs to consider or that someone has to say

4 before we adjourn tonight?

5 MR. MANUEL: One thing.

6 MS. PIERCE: Read the SAN FRANCISCO WEEKLY.

7 MS. PENDERGRASS: Okay.

8 Mr. Manuel?

9 MR. MANUEL: You know, I think what I'll do is
10 if -- if the members of the RAB think it would be
11 helpful, a very good friend of mine was the voice by
12 Bill Clinton from the EPA administrator, and she's very
13 adept on these removal laws.

14 And maybe it will be interesting for the RAB
15 for us to give some kind of legal opinion as to what is
16 reasonable as far as what to do with that soil once you
17 fooled with those dials, that that would be something
18 that's of interest, then I could see about trying to get
19 somebody, expert, in that area to offer a legal opinion
20 on what's acceptable legally and what's not. So --

21 MS. PENDERGRASS: Well, can we --? That needs
22 to be put in a form of a motion. Does someone have
23 that?

24 Yes, sir.

25 MR. TOMPKINS: I second the motion to seek

1 technical assistance for a legal opinion from the EPA.

2 MR. MANUEL: What's legal, what's not.

3 MS. PENDERGRASS: We didn't have a motion yet,
4 but we have a suggestion. Someone needs --

5 MR. RAB MEMBER: Oh.

6 MS. PENDERGRASS: -- to make a motion.

7 MR. TOMPKINS: I make the motion myself.

8 MR. MANUEL: Okay. Well, I -- you know, I
9 basically make a motion that we get a legal opinion as
10 to what we can legally ex- -- what we can legally expect
11 from this process and what the con- -- contractors will
12 be bound to do and what limits and what minimums and
13 what ex- -- what -- whatever, in other words, on the
14 process that's being considered here so that we will
15 know --

16 MS. PENDERGRASS: So the motion --

17 MS. RINES: Too long. Too long.

18 MR. MANUEL: Somebody else make it.

19 MS. PENDERGRASS: Okay. Let me just make sure
20 I understand the motion. Has it been seconded?

21 MR. TOMPKINS: Second.

22 MS. PENDERGRASS: Okay. The motion now on the
23 floor is to -- to bring some legal counsel into --
24 volunteered legal counsel into the RAB.

25 MR. MANUEL: I'll take care of it, I mean. But

1 I'm just saying that somebody --

2 MS. PENDERGRASS: And one of the subcommittee
3 meetings, which subcommittee group would that legal --
4 legal information be --? Okay. To Risk?

5 MR. MANUEL: Let her make the motion. She's
6 got the right idea to what I was thinking about.

7 MS. PENDERGRASS: Okay. All right. So is
8 everybody in favor of that motion? Say, "Aye."

9 THE BOARD: Aye.

10 MS. PENDERGRASS: Anybody opposed? Any
11 abstentions on that?

12 (No verbal response elicited.)

13 MS. PENDERGRASS: Okay. So then, Mr. Manuel,
14 that's going to be in your court in terms of making sure
15 that that happens and a report is generated for the next
16 RAB.

17 MR. MANUEL: Is there a particular --? So it
18 would be for the next RAB meeting?

19 MS. PENDERGRASS: It would actually have to go
20 through one of the subcommittees, and I was looking at
21 Dr. Sumchai.

22 Would that be appropriate for your committee?

23 MS. SUMCHAI: Sure.

24 MS. PENDERGRASS: All right. So you would need
25 to coordinate with her in terms of --

1 MR. MANUEL: Okay.

2 MS. PENDERGRASS: -- having that done and then

3 be part of the report for next RAB meeting.

4 MR. MANUEL: Okay.

5 MS. PENDERGRASS: Okay? All right. If we

6 could remember to put that as an action item in terms of

7 a report, that would be great.

8 Yes, yes, sir.

9 MR. BROWN: I like to make a motion to close

10 the meeting.

11 MR. RAB MEMBER: I second.

12 MS. PENDERGRASS: All right.

13 (Off record at 8:16 p.m., 8/28/03.)

14 ---oOo---

CERTIFICATE OF REPORTER

I, CHRISTINE M. NICCOLI, Certified Shorthand Reporter of the State of California, do hereby certify that the foregoing meeting was reported by me stenographically to the best of my ability at the time and place aforementioned.

IN WITNESS WHEREOF I have hereunto set my hand
this _____ day of _____, ____.

CHRISTINE M. NICCOLI, C.S.R. NO. 4569